

10

UNITED STATES PATENT AND TRADEMARK OFFICE

REGISTRATION NO: 740,009

DATE: MAY 29 2003

REGISTRANT: CVI Incorporated

CORRESPONDENT ADDRESS:

THOMAS W RYAN
PIPER & RUDNICK
P O BOX 64807
CHICAGO IL 60664 0807

RETURN ADDRESS:

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513
TMPostRegistration@uspto.gov

MARK: CVI AND DESIGN

CORRESPONDENT'S REFERENCE/DOCKET NO:

CORRESPONDENT EMAIL ADDRESS:

N/A

Please provide in all correspondence:

1. Registration date, registration number, mark and registrant's name.
2. Date of this Office Action.
3. Examiner's name and Post Registration Division.
4. Your telephone number and e-mail address.

POST REGISTRATION OFFICE ACTION

Receipt on **April 18 2003** is acknowledged of a response to the Office letter of **February 20 2003** regarding the Renewal Application. The Combined Section 8 & 9 Renewal is further refused in view of the following:

Office records indicate the registration is owned by **Process Systems Intl. Inc.** not **Chart, Inc.**, the party who filed the Section 8 Affidavit.

The party who filed the Section 8 Affidavit must establish current ownership of the registration at least as early as **October 31 2002**, the date the Section 8 Affidavit was signed. 37 C.F.R. §2.161(a). Ownership may be established by (1) recording appropriate documents in the Assignment Services Division, (703) 308-9723, or (2) submitting proof of the transfer of title to the party who filed the Section 8 Affidavit. 37 C.F.R. §3.73(b).

- (1) If the present owner chooses to establish ownership by recording appropriate documents in the Assignment Services Division, please notify the undersigned paralegal when the documents have been filed. A telephone call to the paralegal is encouraged to resolve this issue.

- (2) If the present owner chooses to establish ownership by submitting proof of the transfer of title, appropriate evidence, such as a copy of the document transferring ownership or a verified statement that a valid transfer of legal title has occurred, must be submitted. Please be advised that the Section 8 Notice of Acceptance will issue in the name of the original registrant or the last recorded assignee as recorded in the Assignment Services Division.

If the wrong party filed the Section 8 Affidavit and there is time remaining in the statutory filing period, the current owner may file a new affidavit. If the new affidavit is filed during the 6-month grace period, the owner must pay the filing fee for the Section 8 Affidavit plus the grace period fee. If the wrong party filed the Section 8 Affidavit, and there is no time remaining in the statutory filing period, the registration will be cancelled.

A COMPLETE RESPONSE MUST BE RECEIVED WITHIN 6 MONTHS FROM THE MAILING DATE OF THIS OFFICE ACTION. THE OWNER MUST SUBMIT A \$100 DEFICIENCY SURCHARGE AND COMPLY WITH ALL REQUIREMENTS SET FORTH IN THIS LETTER TO AVOID CANCELLATION OF THE REGISTRATION.

PLEASE BE ADVISED THAT IF THE WRONG PARTY FILED THE SECTION 8 AFFIDAVIT, THE CURRENT OWNER MUST FILE A NEW AFFIDAVIT BEFORE THE GRACE PERIOD EXPIRES AND PAY THE FEE FOR FILING THE NEW AFFIDAVIT. THE OWNER MUST ALSO PAY THE GRACE PERIOD FEE, IF THE NEW AFFIDAVIT IS FILED DURING THE GRACE PERIOD.

P A Everett, Paralegal Specialist
Affidavit/Renewal Examiner
Post Registration Division
Office of Trademark Services
(703) 308-9500 Ext 132
FAX (703) 746-6413

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARK	:	CVI and Design
REGISTRANT	:	Chart, Inc.
REG. NO.	:	740,009
REGISTERED	:	October 30, 1962
CLASS NO.	:	11

Honorable Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513
Attention: Patricia A. Everett
Post Registration Division

RESPONSE TO REFUSAL TO SECTION 8 AFFIDAVIT AND SECTION 9 RENEWAL

Dear Ma'am:

Registrant of record, Chart, Inc., hereby responds to the Action of February 20, 2003 refusing entry of the filed Section 8 Affidavit of Use and Section 9 Renewal Application on the basis that the chain of title for the mark is incomplete. More specifically, the post-registration examiner states that there is no record on file to show ownership of the registration being transferred from CVI Incorporated, to Barnebey-Cheyney Company, thus clouding title. As set forth below, to the best of registrant knowledge, there was no assignment from CVI Incorporated to Barnebey-Cheyney Company, and even if such an assignment was made, it is inconsequential as the current chain of title is complete to CVI, Incorporated.

As is shown in the enclosed database printout from the Saegis trademark search service, the current registration was registered in the name of Cryovac, Inc. On January 3, 1967, Cryovac, Inc. changed its name to CVI Corporation. This is indicated as Step (1) on the enclosed printout. CVI Corporation assigned its rights in this registration to CVI Incorporated—as indicated in Step (2) on the enclosed printout. The remainder of the assignment history from CVI Incorporated to Chart, Inc. apparently is not in dispute.

This leaves one with the assignment from Barnebey-Cheyney Company to CVI Incorporated, as indicated by the (*) on the attached database printout. While it is unclear where Barnebey-Cheyney obtained its rights to the current registration, such issue is inconsequential. There is a clear chain of title from Cryovac, Inc. to CVI Corporation to CVI Incorporated, without taking the apparently rogue assignment into account. The Registrant would also note that the assignment from Barnebey-Cheyney was recorded after the assignment from CVI Corporation to CVI Incorporated. The Registrant would also note that the last time this registration was renewed, it was renewed to CVI Incorporated.

In conclusion it is believed that a complete chain of title currently exists for this registration. The assignment from Barnebey-Cheyney in no way breaks such chain. As such, the examining attorney should allow the Section 8 and 9 documents, as filed.

If the named examiners or others at the Post-Registration division wish to discuss this matter in further detail, particularly the chain of title for this registration, they are invited to contact the undersigned at their earliest opportunity.

It is not believed that any additional fees are due at this time however any fees should be debited and any overpayments should be credited to Deposit Account Number 18-2284

Respectfully submitted,



Thomas W. Ryan
Attorney for Registrant
Piper Rudnick
P.O. Box 64807
Chicago, Illinois 60664-0807
(312) 368-4000

Dated: April 17, 2003



TRADEMARKSCAN®--U.S. Federal

Serial Number: 72131351
Registration Number: 0740009

Status: RENEWED

USPTO Status:
USPTO Status Date: January 11, 1983

Filed: November 6, 1961
Published: August 14, 1962
Registered: October 30, 1962

Goods/Services: CRYOGENIC PUMPING SYSTEMS, CRYOGENIC PROCESSING EQUIPMENT, AND RELATED COMPONENTS SUCH AS CRYOGENIC FLUID HANDLING ACCESSORIES AND PANELS

International Class(es)
11 (Environmental Control Apparatus)

U.S. Class: 31
First Used: June 1961
In Commerce: June 1961

Owner: CRYOVAC, INC., D.B.A. CRYOVAC INCORPORATED, COLUMBUS, OHIO

Renewal Information
CVI INC., COLUMBUS, OHIO
October 30, 1982

Assignment Information

Assignee:
CVI CORPORATION
Assignor:
CRYOVAC, INC.
Correspondent:
SEIDEL AND GONAD
LAND TITLE BLDG.
LAND TITLE BLDG.
PHILADELPHIA, PA 19110
Brief: CHANGE OF NAME EFFECTIVE JAN. 03, 1967
Signed: January 16, 1967
Recorded: February 16, 1967
Reel/Frame: 0147/0410

Assignee:
CVI INCORPORATED
4200 LYMAN COURT
HILLIARD, OHIO 43206
Assignor:
CVI CORPORATION
OHIO CORPORATION
P.O. BOX 2138
COLUMBUS, OHIO 43216

Handwritten annotations: A large right-facing square bracket spans the two assignment entries. To the right of the bracket, there are two circled numbers: a "1" next to the first assignment and a "2" next to the second assignment.

Correspondent:

SEIDEL, GONDA, ET AL.
SUITE 600
THREE PENN CENTER PLAZA
PHILADELPHIA, PA 19102

Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL

Recorded: June 15, 1981

Acknowledged: April 28, 1981

Reel/Frame: 0393/0629

Assignee:

CVI INCORPORATED
OHIO CORPORATION
4200 LYMAN COURT
HILLIARD, OHIO 43206

Assignor:

BARNEBEY-CHEYNEY COMPANY
OHIO CORPORATION
835 N. CASSADY AVE.
COLUMBUS, OHIO 43216

Correspondent:

SEIDEL, GONDA, GOLDHAMMER ET AL.
STE. 600

THREE PENN CENTER PLAZA
PHILADELPHIA, PA 19102

Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL

Recorded: June 25, 1981

Acknowledged: April 28, 1981

Reel/Frame: 0393/0664

Assignee:

CVI INCORPORATED
OHIO CORPORATION
4200 LYMAN COURTHILLIARD, OH 43026

Assignor:

PROCESS SYSTEMS INTERNATIONAL, INC.
MASSACHUSETTS CORPORATION

Correspondent:

VORYS, SATER, SEYMOUR & PEASE
DOUGLAS R. BUSH
1828 L STREET, N.W., STE. 1111
WASHINGTON, D.C. 20036-5104

Brief: SECURITY INTEREST

Signed: October 31, 1994

Recorded: October 31, 1994

Reel/Frame: 1243/0048

Assignee:

PROCESS SYSTEMS INTL. INC.
MASSACHUSETTS CORPORATION
WESTBOROUGH, MA

Assignor:

CVI INCORPORATED
OHIO CORPORATION

Correspondent:

SCOTT D. BALDERSTON
1828 L STREET
SUITE 1111

WASHINGTON, D.C. 20036

Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL

Signed: October 31, 1994

Recorded: December 2, 1994
Reel/Frame: 1254/0364

Assignee:
NATIONAL CITY BANK
METROOHIO DIVISION L.C. 2104P. O. BOX 5756 1900 EAST 9TH ST. CLEVELAND, OH 44101-0756

Assignee:
NBD BANK, N.A.
611 WOODWARD AVENUE DETROIT, MI 48226

Assignor:
PROCESS SYSTEMS INTERNATIONAL
MASSACHUSETTS CORPORATION

Correspondent:
RENNER, OTTO, BOISSELLE & SKLAR
WARREN A. SKLAR
1621 EUCLID AVENUE
19TH FLOOR

Brief: COLLATERAL ASSIGNMENT OF AND GRANT OF SECURITY INTEREST IN TRADEMARKS

Signed: December 2, 1994
Recorded: December 12, 1994
Reel/Frame: 1266/0104

Assignee:
NATIONAL CITY BANK
METRO/OHIO DIVISION, LOC. 2104 P.O. BOX 5756 1900 E. 9TH ST.
CLEVELAND, OHIO 44101-075

Assignee:
NBD BANK, N.A.
611 WOODWARD AVENUE
DETROIT, MICHIGAN 48226

Assignor:
PROCESS SYSTEMS INTERNATIONAL

Correspondent:
LUCILE G. WEINGARTNER
LAW DEPARTMENT, LOC 2174
NATIONAL CITY BANK
P.O. BOX 5756

Brief: TERMINATION OF ASSIGNMENT AND SECURITY INTEREST RECORDED AT REEL/FAME 1266/0104

Signed: December 2, 1994
Recorded: November 22, 1996
Reel/Frame: 1538/0177

Assignee:
JPMORGAN CHASE BANK (FORMERLY KNOWN AS THE CHASE BANK)
450 WEST 33RD STREET
NEW YORK, NEW YORK 10001

Assignor:
CHART INDUSTRIES, INC.
DELAWARE CORPORATION

Correspondent:
MILBANK, TWEED, HADLEY & MCCLOY LLP
CHRISTOPHER E. CHALSEN ESQ
1 CHASE MANHATTAN PLAZA
NEW YORK, NEW YORK 10005-1413

Brief: SECURITY INTEREST
Signed: April 12, 1999
Recorded: February 20, 2002
Reel/Frame: 2451/0520

Design Codes:
260110 UNALTERED CIRCLES

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARK : **CVI and Design**
REGISTRANT : **Chart, Inc.**
REG. NO. : **740,009**
REGISTERED : **October 30, 1962**
CLASS NO. : **11**

Honorable Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513
Attention: Patricia A. Everett
Post Registration Division

RESPONSE TO POST REGISTRATION OFFICE ACTION

Dear Ma'am:

Registrant of record, Chart Inc., hereby responds to the Office Action of May 29, 2003, refusing entry of the filed Section 8 Affidavit of Use and Section 9 Renewal Application on the basis that Office records indicated the registration is owned by Process Systems International Inc. and not Chart Inc., the party who filed the Section 8 Affidavit.

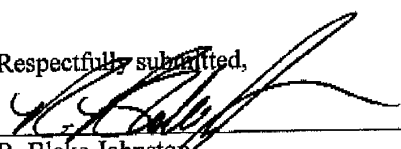
In response to the Office Action, enclosed is a copy of the Certificate of Merger whereby Process Systems International, Inc. merged with and into Chart Inc. As a result, it is believed that a complete chain of title currently exists for this registration and that the Section 8 and 9 documents should be accepted as filed.

If the named examiners or others at the Post-Registration division wish to discuss this matter in further detail, particularly the chain of title for this registration, they are invited to contact the undersigned at their earliest opportunity.

-CHGO1:30381786.v1

The Commissioner is hereby authorized to charge the deficiency surcharge of \$100.00, and the payment of any other fees associated with this communication, to Deposit Account Number 18-2284

Respectfully submitted,



R. Blake Johnston
Attorney for Registrant
Piper Rudnick LLP
P.O. Box 64807
Chicago, Illinois 60664-0807
(312) 368-4000

Dated: November 24, 2003

PTO/SB/97 (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

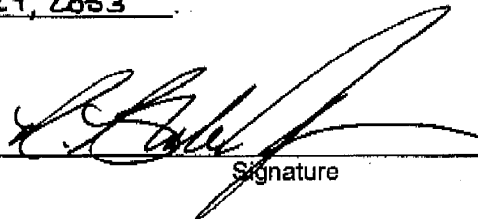
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-746-6413)

on November 24, 2003
Date



Signature

R. Blake Johnston

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Enclosed: Response to Post Registration Office Action
Certificate of Merger

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



JULY 29, 2003

PTAS

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

CALFEE, HALTER & GRISWOLD LLP
JAMES A. BALAZS
800 SUPERIOR AVENUE, SUITE 1400
CLEVELAND, OH 44114-2688



102390475A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/26/2003

REEL/FRAME: 002691/0240
NUMBER OF PAGES: 8

BRIEF: MERGER

ASSIGNOR:
PROCESS SYSTEMS INTERNATIONAL,
INC.

DOC DATE: 04/03/2000
CITIZENSHIP: MASSACHUSETTS
ENTITY: CORPORATION

ASSIGNEE:
CHART INC.
5885 LANDERBROOK DRIVE, SUITE 150
CLEVELAND, OHIO 44124

CITIZENSHIP: DELAWARE
ENTITY: CORPORATION

APPLICATION NUMBER: 74040554
REGISTRATION NUMBER: 1680064

FILING DATE: 03/21/1990
ISSUE DATE: 03/24/1992

MARK: CVI

DRAWING TYPE: STYLIZED WORDS, LETTERS, OR NUMBERS

DOCKETED

AUG 05 2003

RECEIVED

DBC IP. DEPT. AUG 04 2003

DBC IP. DEPT.

NOV-24-2003 16:43

PIPER/RUDNICK #50

3122367516 P.06

002691/0240 PAGE 2

KIMBERLY WHITE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

03-14-2003

FORM PTO-1594

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office
22459/04555

102390475

FEB 26 2003

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies):</p> <p>Process Systems International, Inc.</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State (Massachusetts) <input type="checkbox"/> Other _____</p> <p>Additional names of conveying party(ies) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p> <p>3. Nature of Conveyance</p> <p><input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: <u>April 3, 2000</u></p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <u>Chart Inc.</u></p> <p>Internal Address:</p> <p>Street Address: <u>5885 Landerbrook Drive, Suite 150</u> City: <u>Cleveland</u> State: <u>Ohio</u> Zip: <u>44124</u></p> <p><input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input checked="" type="checkbox"/> Corporation-State (<u>Delaware</u>) <input type="checkbox"/> Other _____</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> yes <input checked="" type="checkbox"/> No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p>
<p>4. Application number(s) or patent number(s):</p> <p>A. Trademark Application No(s). None.</p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>B. Trademark Registration No(s). <u>1,680,064</u></p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>James A. Balazs Calfee, Halter & Griswold LLP 800 Superior Avenue, Suite 1400 Cleveland, Ohio 44114-2688</p> <p>CERTIFICATE OF MAILING</p> <p>Date: <u>Feb. 24, 2003</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Assistant Commissioner for Trademarks, Box Assignments, 2900 Crystal Drive, Arlington, VA 22202-3513</p> <p><u>James Ford</u> Signature</p>	<p>6. Total number of applications and registrations involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41): <u>\$ 40.00</u></p> <p><input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account <input type="checkbox"/> Total Fee Due <input checked="" type="checkbox"/> Any deficiencies</p> <p>8. Deposit account number: <u>03-0172</u></p> <p>(Attach duplicate copy of this page if paying by deposit account)</p>
<p style="text-align: center;">DO NOT USE THIS SPACE</p>	
<p>9. Statement and signature</p> <p>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</p> <p>James A. Balazs Name of Person Signing</p> <p><u>James A. Balazs</u> Signature</p> <p>Date: <u>2/24/03</u></p> <p>Total number of pages comprising transmittal: _____</p>	

03/13/2003 DBYRNE 00000168 1680064

01 FC:8521
(JF2083.DOC;2)

State of Delaware
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"CRYENCO, INC.", A COLORADO CORPORATION,

"CRYENCO SCIENCES, INC.", A DELAWARE CORPORATION,

"PROCESS SYSTEMS INTERNATIONAL, INC.", A MASSACHUSETTS CORPORATION,

WITH AND INTO "CHART INC." UNDER THE NAME OF "CHART INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTY-FIRST DAY OF MARCH, A.D. 2000, AT 10 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Edward J. Freel
Edward J. Freel, Secretary of State

2049930 8100M

AUTHENTICATION: 0355175

CERTIFICATE OF MERGER
OF
CRYENCO SCIENCES, INC.
CRYENCO, INC.
PROCESS SYSTEMS INTERNATIONAL, INC.
AND
CHART INC.

It is hereby certified that:

1. The constituent business corporations participating in the merger herein certified are:

(i) Cryenco Sciences, Inc., which is incorporated under the laws of the State of Delaware ("Cryenco Sciences");

(ii) Cryenco, Inc., which is incorporated under the laws of the State of Colorado ("Cryenco");

(iii) Process Systems International, Inc., which is incorporated under the laws of the State of Massachusetts ("Process Systems"); and

(iv) Chart Inc., which is incorporated under the laws of the State of Delaware ("Chart").

2. An Agreement and Plan of Merger has been approved, adopted, certified, executed, and acknowledged by each of the aforesaid constituent corporations in accordance with the provisions of subsection (c) of Section 252 of the General Corporation Law of the State of Delaware, to wit, by Cryenco and Process Systems in accordance with the laws of the States of their incorporation and by Cryenco Sciences and Chart in the same manner as is provided in Section 251 of the General Corporation Law of the State of Delaware.

3. The name of the surviving corporation in the merger herein certified is Chart Inc., which will continue its existence as said surviving corporation under its present name upon the effective date of said merger pursuant to the provisions of the General Corporation Law of the State of Delaware.

4. The Certificate of Incorporation of Chart, as now in force and effect, shall continue to be the Certificate of Incorporation of said surviving corporation until amended and changed pursuant to the provisions of the General Corporation Law of the State of Delaware.

5. The executed Agreement and Plan of Merger between the aforesaid constituent corporations is on file at an office of the aforesaid surviving corporation, the address of which is as follows: 5885 Landerbrook Drive, Suite 150, Cleveland, Ohio 44124.

(GJD2045:1)

NOV-24-2003 16:44

PIPER/RUDNICK #50

3122367516 P.10

MAR-31-2000 15:05

CT CORPORATION

216 621 4059 P.02/02

6. A copy of the aforesaid Agreement and Plan of Merger will be furnished by the aforesaid surviving corporation, on request, and without cost, to any stockholder of each of the aforesaid constituent corporations.

7. The authorized capital stock of Cryenco, Inc. consists of 1000 common shares of \$1.00 par value, and the authorized capital stock of Process Systems International, Inc. consists of 200,000 common shares of No Par Value.

Dated: March 30, 2000

CHART INC.

By: 

John T. Romain, Assistant Secretary

{GID2045;1}

Process Systems International, Inc. Chart Inc.
 FEDERAL IDENTIFICATION NO. 04-3126695 FEDERAL IDENTIFICATION NO. 41-1396485

The Commonwealth of Massachusetts

William Francis Galvin

Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-1512

ARTICLES OF ~~CONSOLIDATION~~ / *MERGER

(General Laws, Chapter 156B, Section 79)

Examiner

~~Consolidation~~ *merger of

Process Systems International, Inc.
a Massachusetts corporation

Chart Inc.

the constituent corporations, into

Chart Inc.

~~Consolidation~~ *one of the constituent corporations organized under the laws of Delaware

The undersigned officers of each of the constituent corporations certify under the penalties of perjury as follows:

1. An agreement of ~~consolidation~~ *merger has been duly adopted in compliance with the requirements of General Laws, Chapter 156B, Section 79, and will be kept as provided by Subsection (c) thereof. The ~~surviving~~ / *surviving corporation will furnish a copy of said agreement to any of its stockholders, or to any person who was a stockholder of any constituent corporation, upon written request and without charge.

2. The effective date of the ~~consolidation~~ *merger determined pursuant to the agreement of ~~consolidation~~ / *merger shall be the date approved and filed by the Secretary of the Commonwealth. If a *later* effective date is desired, specify such date which shall not be more than *thirty days* after the date of filing:

3. (For a merger)

*The following amendments to the Articles of Organization of the *surviving* corporation have been effected pursuant to the agreement of merger:

NONE

(For a consolidation)

(a) The purpose of the *resulting* corporation is to engage in the following business activities:

C ☐
 P ☐
 M ☐
 R.A. ☐

*Delete the inapplicable words.

Note: If the space provided under any article or item on this form is insufficient, additions shall be set forth on separate sheets, which shall be attached to this form.

SECRETARY OF THE
 COMMONWEALTH

00 MAR 31 AM 11:33

CORPORATION DIVISION

(For a consolidation)

(b) State the total number of shares and the par value, if any, of each class of stock which the *resulting* corporation is authorized to issue:

WITHOUT PAR VALUE		WITH PAR VALUE		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
Common:		Common:		
Preferred:		Preferred:		

“(c) If more than one class of stock is authorized, state a distinguishing designation for each class and provide a description of the preferences, voting powers, qualifications, and special or relative rights or privileges of each class and of each series then established.

“(d) The restrictions, if any, on the transfer of stock contained in the agreement of consolidation are:

“(e) Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or stockholders, or of any class of stockholders:

Item 4 below may be deleted if the resulting /surviving corporation is organized under the laws of a state other than Massachusetts.

~~4. The information contained in Item 4 is not a permanent part of the Articles of Organization of the resulting / surviving corporation.~~

~~(a) The street address of the resulting / surviving corporation in Massachusetts is: (post office boxes are not acceptable)~~

(b) The name, residential address and post office address of each director and officer of the resulting/surviving corporation is:

	NAME	RESIDENTIAL ADDRESS	POST OFFICE ADDRESS
President:			
Treasurer:			
Clerk:			
Directors:			

(c) The fiscal year end (i.e. tax year) of the resulting/surviving corporation shall end on the last day of the month of:

(d) The name and business address of the resident agent, if any, of the resulting/surviving corporation is:

Item 5 below may be deleted if the resulting/surviving corporation is organized under the laws of Massachusetts.

5. The resulting/surviving corporation hereby agrees that it may be sued in the Commonwealth of Massachusetts for any prior obligation of any constituent Massachusetts corporation, any prior obligation of any constituent foreign corporation qualified under General Laws, Chapter 181, and any obligations hereafter incurred by the resulting/surviving corporation, including the obligation created by General Laws, Chapter 156B, Section 85, so long as any liability remains outstanding against the corporation in the Commonwealth of Massachusetts, and it hereby irrevocably appoints the Secretary of the Commonwealth as its agent to accept service of process in any action for the enforcement of any such obligation, including taxes, in the same manner as provided in Chapter 181.

FOR MASSACHUSETTS CORPORATIONS

The undersigned "President / ~~XXXX~~ President and ~~XXXX~~ Assistant Clerk of Process Systems International, Inc., a corporation organized under the laws of Massachusetts, further state under the penalties of perjury that the agreement of ~~XXXX~~ merger has been duly executed on behalf of such corporation and duly approved in the manner required by General Laws, Chapter 156B, Section 7B.

James R. Sadowski, "President / ~~XXXX~~ President"

John T. Romain, ~~XXXX~~ Assistant Clerk

FOR CORPORATIONS ORGANIZED IN A STATE OTHER THAN MASSACHUSETTS

The undersigned, James R. Sadowski President and John T. Romain Assistant Secretary of Chart Inc., a corporation organized under the laws of

Delaware, further state under the penalties of perjury that the agreement of ~~XXXX~~ merger has been duly adopted by such corporation in the manner required by the laws of Delaware.

*Delete the inapplicable words.
†Specify the officer having powers and duties corresponding to those of the president or vice president of a Massachusetts corporation organized under General Laws, Chapter 156B.

James R. Sadowski, President

THE COMMONWEALTH OF MASSACHUSETTS
ARTICLES OF *CONSOLIDATION / *MERGER
(General Laws, Chapter 156B, Section 79)

I hereby approve the within Articles of *Consolidation / *Merger and,
the filing fee in the amount of \$ _____, having been paid,
said articles are deemed to have been filed with me this _____
day of _____, 19 _____.

Effective date _____

WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth

TO BE FILLED IN BY CORPORATION
Photocopy of document to be sent to:

CT Corporation
101 Federal St
Boston, MA 02110

Telephone: _____

FORM PTO-1594

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office
22459/04555RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

FEB 26 2003

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Process Systems International, Inc. <input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State (Massachusetts) <input type="checkbox"/> Other _____ Additional names of conveying party(ies) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no		2. Name and address of receiving party(ies): Name: <u>Chart Inc.</u> Internal Address: Street Address: <u>5882 Landerbrook Drive, Suite 150</u> City <u>Cleveland</u> State <u>Ohio</u> Zip <u>44124</u> <input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input checked="" type="checkbox"/> Corporation-State (<u>Delaware</u>) <input type="checkbox"/> Other _____ If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> yes <input checked="" type="checkbox"/> No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	
3. Nature of Conveyance <input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>April 3, 2000</u>			
4. Application number(s) or patent number(s): A. Trademark Application No(s). None. Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		B. Trademark Registration No(s). 1,680,064	
5. Name and address of party to whom correspondence concerning document should be mailed: James A. Balazs Calfee, Halter & Griswold LLP 800 Superior Avenue, Suite 1400 Cleveland, Ohio 44114-2688 CERTIFICATE OF MAILING Date: <u>Feb. 24, 2003</u> I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Assistant Commissioner for Trademarks, Box Assignments, 2900 Crystal Drive, Arlington, VA 22202-3513 <u>James Ford</u> Signature		6. Total number of applications and registrations involved: <u>1</u> 7. Total fee (37 CFR 3.41): \$ <u>40.00</u> <input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account <input type="checkbox"/> Total Fee Due <input checked="" type="checkbox"/> Any deficiencies 8. Deposit account number: <u>03-0172</u> (Attach duplicate copy of this page if paying by deposit account)	
DO NOT USE THIS SPACE			
9. Statement and signature To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. <u>James A. Balazs</u> <u>James Ford</u> <u>2/21/03</u> Name of Person Signing Signature Date Total number of pages comprising transmittal: _____			

(JF2083.DOC;2)

Facsimile Transmission Sheet

Piper Rudnick203 North LaSalle Street, Suite 1800
Chicago, Illinois 60601-1293
www.piperrudnick.comMAIN PHONE (312) 368-4000
FAX (312) 236-7516DATE: 11/24/2003

SENDER'S INFORMATION

NAME: R. Blake JohnstonPHONE: 312-368-8921FAX: 312-630-6310

To:	Company:	Confirmation Phone No:	Fax No:
Patricia Everett	USPTO		703-746-6413
No. of Pages (including fax sheet): <u>15</u>		Billing Number/Attorney ID#:	

Original ☐ will / ☐ will not follow.If there are problems with this transmittal, please call Blake at 312-368-8921. Thank you.

Comments:

The information contained in this facsimile message is confidential and, if addressed to our client or certain counsel, is subject to the attorney-client or work product privilege. This message is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U. S. Postal Service.

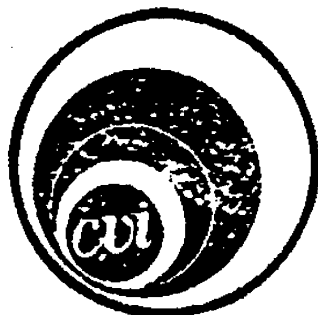
Piper Rudnick LLP

PAGE 1/15 * RCVD AT 11/24/2003 5:27:31 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-2/1 * DNIS:7466413 * CSID:3122367516 * DURATION (mm-ss):04-28

260137 CIRCLES THAT ARE COMPLETELY OR PARTIALLY SHADED

260154 CIRCLES INSIDE OR CIRCLES

260131 CIRCLES CONTAINING ONLY LETTERS OR NUMERALS (INCLUDING PUNCTUATION)



Copyright 2003 Thomson & Thomson
Viewed: Thu Apr 17 2003, 16:09 GMT

Print Page

2

Incoming Correspondence Routing Sheet

To: Post Registration (PRU)

Word Mark: CVI

Reg. No.: 0740009



Serial No: 72131351



Mail Date: 04182003



Doc. Type: Responses to Office Actions



No Fee

RAM Mail Date: 041803



8

UNITED STATES PATENT AND TRADEMARK OFFICE

REGISTRATION NO: 740,009

DATE: FEB 20 2003

REGISTRANT: CVI Incorporated

CORRESPONDENT ADDRESS:

JAMES A BALAZS
CALFEE HALTER & GRISWOLD LLP
1400 MCDONALD INVESTMENT CENTER
800 SUPERIOR AVE
CLEVELAND OH 44114 2688

RETURN ADDRESS:

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513
TMPostRegistration@uspto.gov

MARK: CVI AND DESIGN

CORRESPONDENT'S REFERENCE/DOCKET NO: 22459/04295

CORRESPONDENT EMAIL ADDRESS:

N/A

Please provide in all correspondence:

1. Registration date, registration number, mark and registrant's name.
2. Date of this Office Action.
3. Examiner's name and Post Registration Division.
4. Your telephone number and e-mail address.

POST REGISTRATION OFFICE ACTION

The Combined Section 8 Affidavit and Section 9 Renewal Application submitted on November 6 2002 is refused for the following reason(s):

The records of the Assignment Branch of the Patent and Trademark Office do not show a clear chain of title. There is no record on file to show ownership of the registration being transferred from **CVI Incorporated** to **Barnebey-Cheyney Company**. The present claimant must establish a complete chain of title by: (1) recording appropriate documents in the Assignment Branch or (2) submitting proof of the transfer of title. **See attached copies.**

It is also noted that a document was filed for recording in the Assignment Branch of the Patent and Trademark Office. Alternately, Counsel may submit a copy of the document to be placed in the file.

If the present claimant chooses to establish ownership through recordation in the Assignment Branch, the claimant must notify the undersigned when the document or documents have been filed for recording. The filing of a document in the Assignment Branch does not stay the six-month period for responding to this action.

If the present claimant chooses to establish ownership by submitting proof of the transfer of title, the claimant must submit evidence of such transfer. Appropriate evidence may consist of a copy of the document transferring ownership from one party to another or an explanation, supported by an affidavit or a declaration under Trademark Rule 2.20, that a valid transfer of legal title has occurred.

A COMPLETE RESPONSE MUST BE RECEIVED WITHIN 6 MONTHS FROM THE MAILING DATE OF THIS OFFICE ACTION. THE OWNER MUST RESPOND TO ALL INQUIRIES SET FORTH IN THIS LETTER TO AVOID CANCELLATION AND/OR EXPIRATION OF THE REGISTRATION.

PLEASE BE ADVISED THAT IF THE WRONG PARTY FILED THE SECTION 8 AFFIDAVIT, THE CURRENT OWNER MUST FILE A NEW AFFIDAVIT BEFORE THE GRACE PERIOD EXPIRES AND PAY THE FEE FOR FILING THE NEW AFFIDAVIT. THE OWNER MUST ALSO PAY THE GRACE PERIOD FEE, IF THE NEW AFFIDAVIT IS FILED DURING THE GRACE PERIOD.

P A Everett, Paralegal Specialist
Affidavit/Renewal Examiner
Post Registration Division
Office of Trademark Services
(703) 308-9500 Ext 132
FAX (703) 746-6413

7

CERTIFICATE OF MAILING	
I hereby certify that this paper or fee is being deposited on <u>November 4</u> , 2002	
with the United States Postal Service with sufficient postage as first class mail in an envelope	
addressed the Assistant Commissioner of Trademarks, BOX POST REG FEE, 2900 Crystal	
Drive, Arlington, VA 22202-3513.	
Typed or printed name of person signing this certificate:	
<u>Joyce FORD</u>	
<u>Joyce Ford</u> (Signature)	

TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant	:	Chart Inc.
Mark	:	CVI & Design
Registration No.	:	740,009
Registration Date	:	October 30, 1962
International Class	:	011
Attorney Docket	:	22459/04295

Assistant Commissioner for Trademarks
BOX POST REG FEE
2900 Crystal Drive
Arlington, VA 22202-3513

**COMBINED DECLARATION OF USE IN COMMERCE UNDER SECTION 8 &
APPLICATION FOR RENEWAL OF REGISTRATION UNDER SECTION 9**

✓ Chart Inc., a Delaware corporation, having a place of business at 5885 Landerbrook Drive, Suite 205, Cleveland, Ohio 44124, hereby requests that Registration No. 740,009 be renewed in accordance with the provisions of Section 9 of the Act of July 5, 1946 (as amended).

The above-identified mark is still in use by Chart Inc., in interstate commerce in connection with all the goods identified in the Certificate of Registration for this mark, namely the following goods in International Class 011:

Cryogenic pumping systems, cryogenic processing equipment, and related components such as cryogenic fluid handling accessories and panels.

11/18/2002 KGIBBONS 00000255 740009

01 FC:6205	100.00 DP
02 FC:6201	400.00 DP

Renewal Applicant obtained the mark by assignment recorded on December 2, 1994 at Reel/Frame 1254/0364 and merger on March 30, 2000; request to record merger filed concurrently with this renewal application.

A specimen for each class showing the mark as currently used by Renewal Applicant is enclosed herewith.

The undersigned hereby appoints Jeanne E. Longmuir and James Balazs all members of the Bar of the State of Ohio, all attorneys with Calfee, Halter & Griswold LLP, with the full power of substitution, association and revocation, to prosecute this combined declaration of use and renewal application, to transact all business in the United States Patent and Trademark Office and in the courts, to receive the Certificate of Renewal and to receive all other correspondence in connection with this registration.

Renewal Applicant requests that correspondence in connection with this application be directed to:

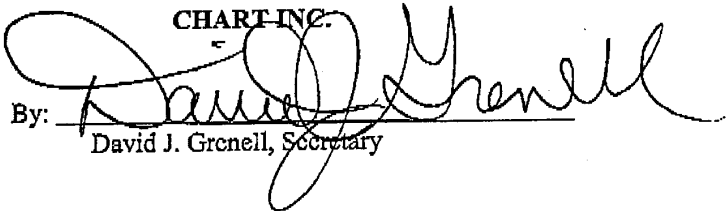
James A. Balazs, Esq.
CALFEE, HALTER & GRISWOLD LLP
1400 McDonald Investment Center
800 Superior Avenue
Cleveland, Ohio 44114-2688
(216) 622-8200.

I, David J. Grenell, declare that I am Secretary of Registrant, Chart Inc., and that I am properly authorized to execute this document on behalf of Registrant; that said corporation is the owner of the above-identified registration issued October 30, 1962; that said registration is now in force; that the mark shown therein continues to be in use in interstate commerce on or in connection with all of the goods identified in the Certificate of Registration; that all statements made herein of my own knowledge are true and all statements made herein on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements and the like may jeopardize the validity of this declaration and application and any renewed registration resulting therefrom.

Date:

10/31/02

By:

CHART INC.

David J. Grenell, Secretary



Cryopump Assembly



High Pressure Pump



Nameplate



CALFEE, HALTER & GRISWOLD LLP

ATTORNEYS AT LAW

Cleveland

Direct Dial No. 216/622-8636

email:jrich@calfee.com

November 4, 2002

Box POST REG FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

CERTIFICATE OF MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope to the Assistant Commissioner For Trademarks, 2900 Crystal Drive, Arlington, VA 22022-3513 this 4th day of November, 2002.

Signed: Spence Ford

Re: Trademark Registration
For: Chart, Inc.
Mark: CVI & Design
Registration No.: 740,009
Atty Ref. No.: 22459/04295

Dear Sir:

Enclosed please find the following:

- 1) A Combined Declaration of Use in Commerce Under Section 8 & Application for Renewal of Registration Under Section 9 (2 pgs);
- 2) A specimen showing use of the mark;
- 3) A check in the amount of \$500.00; and
- 4) A return-receipt postcard.

It is our understanding that no additional fees are required for this filing. However, if our understanding is incorrect, please charge such additional fees to our Deposit Account No. 03-0172. A duplicate of this letter is enclosed for accounting purposes.

We look forward to being advised of the filing particulars in due course.

Very truly yours,

James A. Balazs

JAB/jef
Enclosures

1400 McDonald Investment Center 800 Superior Avenue Cleveland, Ohio 44114-2688 216/622-8200 Fax 216/241-0816

1650 Fifth Third Center 21 East State Street Columbus, Ohio 43215-4243 614/621-1500 Fax 614/621-0010

www.calfee.com

{JF2442.DOC;1}



CALFEE, HALTER & GRISWOLD LLP

ATTORNEYS AT LAW
Cleveland

Direct Dial No. 216/622-8636
email:jrich@calfee.com

November 4, 2002

Box POST REG FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: Trademark Registration
For: Chart, Inc.
Mark: **CVI & Design**
Registration No.: 740,009
Atty Ref. No.: 22459/04295

CERTIFICATE OF MAILING
I hereby certify that this paper or fee is being deposited with the
United States Postal Service with sufficient postage as first class mail in
an envelope to the Assistant Commissioner For Trademarks,
2900 Crystal Drive, Arlington, VA 22022-3513
this 9th day of November, 2002.

Signed: Joyce Ford

Dear Sir:

Enclosed please find the following:

- 1) A Combined Declaration of Use in Commerce Under Section 8 & Application
for Renewal of Registration Under Section 9 (2 pgs);
- 2) A specimen showing use of the mark;
- 3) A check in the amount of \$500.00; and
- 4) A return-receipt postcard.

It is our understanding that no additional fees are required for this filing. However, if our understanding is incorrect, please charge such additional fees to our Deposit Account No. 03-0172. A duplicate of this letter is enclosed for accounting purposes.

We look forward to being advised of the filing particulars in due course.

Very truly yours,

James A. Balazs

JAB/jef
Enclosures

1400 McDonald Investment Center 800 Superior Avenue Cleveland, Ohio 44114-2688 216/622-8200 Fax 216/241-0816

1650 Fifth Third Center 21 East State Street Columbus, Ohio 43215-4243 614/621-1500 Fax 614/621-0010

www.calfee.com

{JF2442.DOC;1}

5

JB

Incoming Correspondence Routing Sheet

To: Post Registration (PRU)

Word Mark: CVI

Reg. No.: 0740009



Serial No: 72131351



Mail Date: 11062002



Doc. Type: Combined Section 8 and 9



No Fee

RAM Mail Date: 110602



SS



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: CVI & DESIGN

Registration No. 740,009

(U.S. Class: 31)

APPLICATION FOR RENEWAL

To the Commissioner of Patents and Trademarks:

CVI Incorporated, a Ohio corporation having a place of business at P.O. Box 2138, Columbus, Ohio 43216 requests that Registration No. 740,009 granted to Cryovac, Inc., on October 30, 1962 which it now owns as shown by records in the Patent and Trademark Office be renewed in accordance with the provisions of Section 9 of the Act of July 5, 1946.

Please recognize Arthur H. Seidel, a member of the bars of New York, Pennsylvania, and the District of Columbia; Edward C. Gonda, a member of the bar of Pennsylvania; Joel S. Goldhammer, a member of the bars of Pennsylvania and Virginia; Ronald L. Panitch, a member of the bar of Pennsylvania; William W. Schwarze, a member of the bars of Pennsylvania and the District of Columbia; Michael P. Abbott, a member of the bar of Pennsylvania; Roberta L. Jacobs, a member of the bars of Pennsylvania and New Jersey; Alan S. Nadel, a member of the bar of Pennsylvania; and Jay K. Meadway, a member of the bars of Virginia, Pennsylvania and the District of Columbia, with offices at Suite 600, Three Penn Center Plaza, Philadelphia, Pennsylvania 19102, (Tel.: 215-568-8383), as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in connection therewith.

The required fee is to be charged to our Miscellaneous Account 19-1135.

61781 10/05/82 0740009

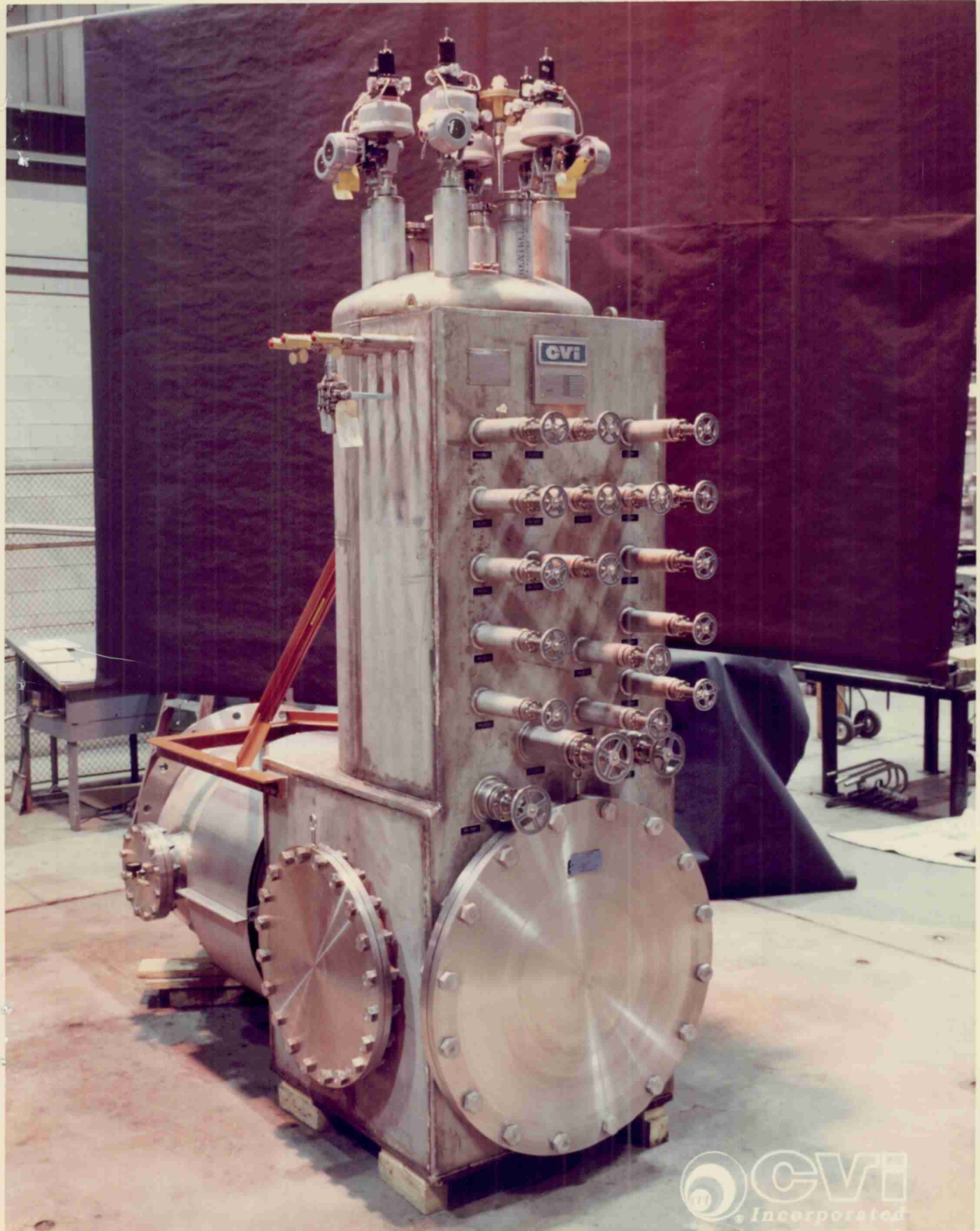
19-1135 1 302

25.00CH

5218-AFF

SEIDEL, GONDA, GOLDHAMMER & PANITCH, P.C. • 600 THREE PENN CENTER PLAZA • PHILA., PA. 19102 • 215-568-8383

MP



 **CVI**
Incorporated



Another Quality Product of

C656
LHe Valve Box Assembly
UCCNd - Large Coil Test Facility
7/8/82



James G. Pierce declares that he is President of applicant corporation which owns Registration No. 740,009; that the mark shown therein is in use in interstate commerce on the following goods recited in the registration:

CRYOGENIC PUMPING SYSTEMS, CRYOGENIC PROCESSING EQUIPMENT, AND RELATED COMPONENTS SUCH AS CRYOGENIC FLUID HANDLING ACCESSORIES AND PANELS

that the attached specimen shows the mark as currently used; that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

CVI INCORPORATED

Date:

9/23/82

By:

James G. Pierce
JAMES G. PIERCE
PRESIDENT





LAW OFFICES

SEIDEL, GONDA, GOLDHAMMER & PANITCH, P. C.

PATENT AND TRADEMARK ATTORNEYS

SUITE 600, THREE PENN CENTER PLAZA

PHILADELPHIA, PA. 19102

ARTHUR H. SEIDEL
EDWARD C. GONDA
JOEL S. GOLDHAMMER
RONALD L. PANITCH
WILLIAM W. SCHWARZE
MICHAEL P. ABBOTT
ROBERTA L. JACOBS

ALAN S. NADEL
RICHARD S. BARTH
JAY K. MEADWAY

*D.C. AND VA. BARS ONLY

TELEPHONE (215) 568-8383
TELECOPIER (215) 568-5549
TELEX: 845-216
CABLE: SIPAT

Sept. 27, 1982

Commissioner of Patents & Trademarks
Washington, D.C. 20231

Dear Sir:

We are enclosing herewith the following documents
set forth below, which are to be filed in the Patent and
Trademark Office.

Please charge all government fees in respect to the
here-enclosed documents to our Miscellaneous Account 19-1135.

In the case of documents comprising an assignment,
please record the same, and return the recorded assignment to
us.

Please charge any additional fees or credit over-
payment to Miscellaneous Account 19-1135. A duplicate copy
of this sheet is enclosed.

Respectfully submitted,

SEIDEL, GONDA, GOLDHAMMER
& PANITCH, P.C.

By *Arthur H. Seidel*

Enclosures:

Trademark (Service Mark Application (Registration) of:

Registration No.:

740,009

~~International~~ Class:

31

Mark:

CVI & Design

Case No.:

5218-A77

Appl for renewal & Specimen

\$25.00

*CVI
Incorporated*

REGISTRATION NO

ISSUED

OCT 30 1962

740,009

12-C PUB

RECEIPT IS HEREBY ACKNOWLEDGED OF THE AFFIDAVIT FILED
BY CVI CORPORATION

ON NOVEMBER 3, 1967

☒

SEC. 8 - AFFIDAVIT ACCEPTED

☒

SEC. 15 - AFFIDAVIT FILED

BY DIRECTION OF THE COMMISSIONER

C. M. Wendt

JTY

NOV 24 1967

DIRECTOR, TRADEMARK EXAMINING OPERATION

FORM POL-136 A
2-60

AFFIDAVIT

ACKNOWLEDGMENT

ARTHUR H. SEIDEL,
LAND TITLE BUILDING,
PHILADELPHIA, PENNSYLVANIA 19110
U. S. DEPARTMENT OF COMMERCE - PATENT OFFICE



#5

IN THE UNITED STATES PATENT OFFICE
COMBINED DECLARATION UNDER SECTIONS 8 & 15

Mark: CVI & DESIGN

Registration No. 740,009

Class 31

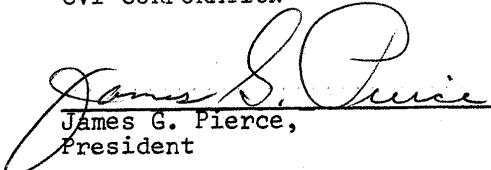
PATENT ATTORNEYS
SEIDEL AND GONDA

James G. Pierce states that he is President of CVI Corporation, a Ohio corporation having a place of business at 930 Kinnear Road, Columbus, Ohio 43212; that CVI Corporation owns Registration No. 740,009 issued October 30, 1962; that the mark shown therein has been in continuous use in interstate commerce for five consecutive years from October 30, 1962, to the present for cryogenic pumping systems, cryogenic processing equipment, and related components such as cryogenic fluid handling accessories and panels and that said mark is still in use in interstate commerce as evidenced by the attached specimen showing the mark as currently used; that there has been no final decision adverse to declarant's claim of ownership of the mark or to its right to register the same or maintain it on the register; and that there is no proceeding involving any of said rights pending and not disposed of either in the Patent Office or in the Courts.

The undersigned declares: That all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the registration identified above.

CVI CORPORATION

Date: 11/1/67


James G. Pierce,
President



®

CVI

Corporation

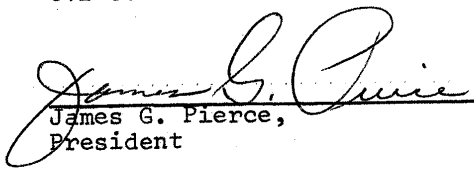
Affiliate of Pennsalt Chemical Corporation
930 Kinnear Road, Columbus, Ohio 43212
614/486-9535

POWER OF ATTORNEY

PATENT ATTORNEYS
SEIDEL AND GONDA
Declarant hereby appoints the firm of Seidel and Gonda,
Esqs., Registration No. 20,171, a firm consisting of Arthur H. Seidel,
a member of the bars of New York, Pennsylvania, and the District of
Columbia, and Edward C. Gonda, a member of the bar of Pennsylvania,
with offices at Land Title Building, Philadelphia, Pennsylvania 19110,
its attorneys to file and prosecute this Combined Declaration and
to do all things in the Patent Office connected therewith.

CVI CORPORATION

Date: 11/1/67


James G. Pierce,
President





2/2

IN THE UNITED STATES PATENT OFFICE

In re: Trademark application of :
CryoVac, Inc. ✓ :
Serial No. 131,351 ✓ : T. M. Div. I
For: CVI & DESIGN ✓ :

AMENDMENT

This is in response to the first Office Action dated May 16, 1962. Please amend the application as follows:

✓ Please change the description of the goods to read --

2- (cryogenic pumping systems, cryogenic processing equipment, and related components such as cryogenic fluid handling accessories and panels *hm*)

REMARKS

The identification of the goods has been amended so as to be more definite. It will be noted that the goods of the present invention are particularly directed to space-age cryogenics.

In the treatise "Cryogenic Engineering", by Russell B. Scott, published by D. Van Nostrand Company, Inc., New York, first published March 1959 under contract with the United States Atomic Energy Commission, page 1, the following statements are made:

"Cryogenic engineering deals with the practical application of very low-temperature processes and techniques. These temperatures are below those usually encountered in refrigerating engineering."

"It is rather difficult to assign a definite temperature which will serve as the dividing point between refrigerating and cryogenic

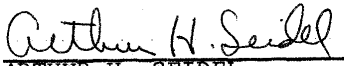
engineering, but it will probably conform to present usage to say that cryogenic engineering is concerned with temperatures below $-150^{\circ}\text{C}.$ "

Hence, it will be noted that cryogenic pumping systems are very definite structures to those skilled in the art of space-age cryogenics. Further, since the United States Atomic Energy Commission has found it impossible to accurately pinpoint the temperatures which are considered to be "low temperatures", the present designation of the goods should be satisfactory. As pointed out above, the temperatures are generally below $-150^{\circ}\text{C}.$

The applicant is enclosing herewith, and at the request of the Examiner, a plurality of samples of advertisements or promotional material dealing with the goods on which the instant mark is used. The here-enclosed materials are identified as Exhibits A through G. The Examiner's attention is directed to page 1 of Exhibit B which points out that the equipment can be utilized at temperatures as low as 9° Kelvin.

In view of the above and the here-enclosed material, it is submitted that the subject mark is in condition for publication. An early publication is respectfully requested.

Respectfully submitted,


ARTHUR H. SEIDEL
Attorney for Applicant

ADDRESS ONLY
THE COMMISSIONER OF PATENTS
TRADEMARK EXAMINING OPERATION
WASHINGTON 25, D. C.

U. S. DEPARTMENT OF COMMERCE
PATENT OFFICE
WASHINGTON

PAPER No. 4

*All communications respecting
this application should give the
serial number, date of filing,
and name of the applicant.*

SWA

Mailed

JUL 23 1962

Ser. No.: 131,351

Publication Date: AUG 14 1962

Applicant: CRYOVAC, INC.

MARK: CVI AND DES.

ARTHUR H. SEIDEL
LAND TITLE BLDG.
PHILADELPHIA 10, PA.

NOTICE OF PUBLICATION UNDER SECTION 12 (a)

The application identified above has been examined and it appearing that applicant is entitled to Registration, the mark will in accordance with Section 12 (a) of the Trademark Act of 1946, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no notice of opposition is filed within the time specified by Section 13 of the statute, or by Rules 2.101 and 2.102 of the Trademark Rules, the Commissioner of Patents may issue a Certificate of Registration.

Copies of the Trademark portion of the Official Gazette containing the publication of the mark may be obtained at 20 cents each from the Superintendent of Documents, Government Printing Office.

By direction of the Commissioner.

SGD. J. H. MERCHANT

Director, Trademark
Examining Operation.



#2500-201-TM

NOV-7-61 59017 B-CK ---201

25.00

131351

IN THE UNITED STATES PATENT OFFICE

Mark: CVI and Design

Class ~~23~~ 31

To the Commissioner of Patents:

Patent Attorney

CryoVac, Inc., an Ohio corporation, d/b/a CryoVac Incorporated, having a principal place of business at 930 Kinneer Road, Columbus 12, Ohio has adopted and is using the trademark shown in the accompanying drawing for ~~pumping systems, low temperature processing equipment, and related components~~ and requests that said mark be registered in the United States Patent Office on the Principal Register established by the Act of July 5, 1946.

Sub
etc

The trademark was first used in June, 1961; was first used in interstate commerce in June, 1961; and is still in use in such commerce.

The mark is used by applying labels affixed to the goods and five specimens showing the mark as actually used are presented herewith:

State of Ohio :
County of :ss
FRANKLIN

ARTHUR N. SEIDEL

James G. Pierce, being sworn, states that he is President of applicant corporation and is authorized to execute this affidavit on behalf of said corporation; he believes said corporation to be the owner of the mark sought to be registered; to the best of his knowledge and belief no other person, firm, corporation or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as might be

calculated to deceive; and the facts set forth in this application are true.

CryoVac, Inc.

By James G. Pierce
James G. Pierce
President

Sworn to and subscribed before me this 30th day of
OCTOBER 1961.

FRED STRASSER
NOTARY PUBLIC, FRANKLIN COUNTY, OHIO
MY COMMISSION EXPIRES JULY 31, 1964

Fred Strasser
Notary Public

Please recognize Arthur H. Seidel, Esq., Registration No. 15,979, a member of the bars of New York, Pennsylvania, and the District of Columbia, with offices at Land Title Building, Philadelphia 10, Penna., to prosecute this application, to transact all business in connection therewith, and to receive the certificate of registration.

CryoVac, Inc.

By James G. Pierce
James G. Pierce
President

ADDRESS ONLY
THE COMMISSIONER OF PATENTS
TRADEMARK EXAMINING OPERATION
WASHINGTON 25, D. C.

U. S. DEPARTMENT OF COMMERCE
PATENT OFFICE
WASHINGTON

All communications respecting
this application should give
the serial number, date of fil-
ing, and name of the applicant.

ARTHUR H. SEIDEL
LAND TITLE BLDG.
PHILADELPHIA 10, PA.

Exam'rs Amtd. B
MAILED: JUN 28 1962

Ser. No.: 131,351
Filed: NOV. 6, 1961, d.b.a.
Applicant: CRYOVAC INCORPORATED

The changes hereinafter specified have been made in the above identified application in accordance with the provisions of Order Number 5297 of May 11, 1950, which reads in part as follows:

Obvious informalities in the Statement of the application including the Classification of Goods and Services, may be corrected by the examiner, but said correction must be in the form of an amendment, approved by the Principal Examiner in writing, placed in the file, and made a part of the record. The changes specified in the amendment will be entered by the clerk in the regular way.

If the changes set forth below are not satisfactory to the applicant, appropriate amendment may be submitted under the provisions of Rule 2.74, provided the printing of the registration has not been commenced at the time such amendment is approved.

The application has been amended as follows:

✓ Applicant's goods as specified in the amended identification are considered to be proper for Class 31, rather than Class 23. The classification is hereby changed to Class 31.

(CVI & DES.)
G.R. LEADER:amn

G.R. Leader
Div. I Examiner.

U. S. DEPARTMENT OF COMMERCE
PATENT OFFICE
WASHINGTON

PAPER No. 1

*All communications respecting
this application should give the
serial number, date of filing,
and name of the applicant.*

Mailed MAY 16 1962


ARTHUR H. SEIDEL
LAND TITLE BLDG.
PHILADELPHIA 10, PA.

Ser. No.: 131,351

Applicant: CRYOVAC, INC. D.B.A.
CRYOVAC INCORPORATED

The present identification of goods is not acceptable because it is not sufficiently definite. Additional information as to the nature of applicant's "pumping systems" and "low temperature processing equipment" is requested. In what kind of industry are applicant's goods used? In order to clarify the identification of goods, applicant is requested under Rule 2.61(b) to submit samples of any available advertisements or promotional material dealing with the goods on which the instant mark is used.

A search of the Office records fails to show that the mark, when applied to applicant's goods, is confusingly similar to any registered mark.


EXAMINER, DIV. I(CVI AND DESIGN)
G.LEADER:swa

**A proper response to this Office action must be received within 6 months
from the date of this action in order to avoid ABANDONMENT.**

HELIUM REFRIGERATION SYSTEMS

CRYOVAC, INC.
930 KINNEAR ROAD
COLUMBUS 12, OHIO

PHONE 486-9535

EXIT B

The CryoVac Model He-Series Helium Refrigerators are completely packaged, low-temperature facilities which provide cold gaseous helium refrigeration for any process requiring cryogenic temperatures as low as 9° Kelvin.*

The only units of their kind ever designed specifically for low temperature refrigeration, they can be utilized in a number of applications including:

Cryopumping

Neon or hydrogen liquefaction

Hydrogen recondensing for bubble chambers

Maser refrigeration

Electronic apparatus cooling

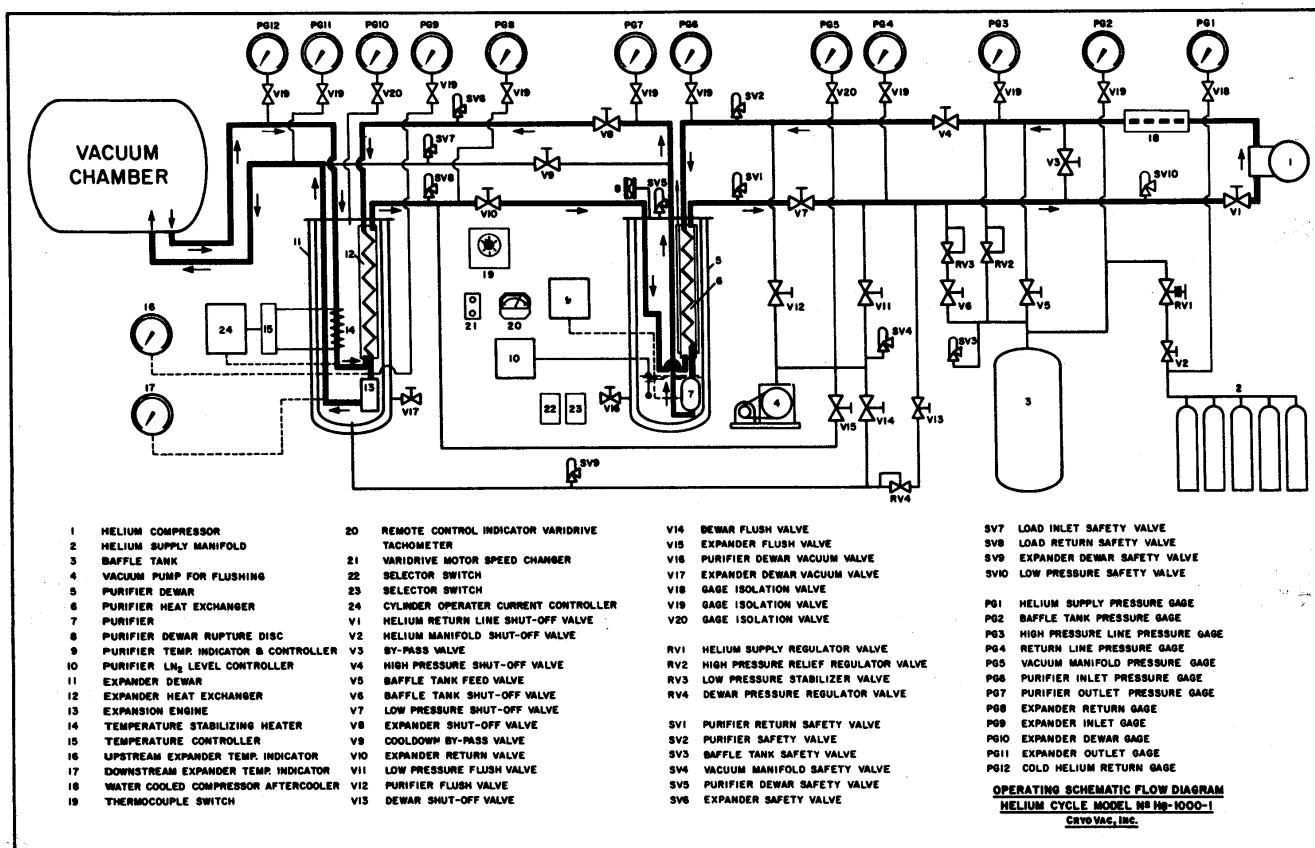
*can be modified to produce liquid helium.

The CryoVac Helium Refrigerators answer the cryogenic industry's need for ruggedly built, dependable, low-temperature cycles. Not laboratory curiosities they are designed to maintain a continuous flow of high-pressure, cold helium gas on a twenty-four hour a day - seven days a week basis.

Fully assembled, the HE-Series refrigerators are compact, skid-mounted packages requiring no extras - they can be easily installed, easily moved. They are shipped complete after receiving a complete run-in and thorough testing at the factory. The entire front panel of the skid is a graphic control panel on which are mounted all principal valves and controls needed for convenient operation.

Performance

All models are conservatively rated. The Model HE-1000-2 which



is typically illustrated on the accompanying graphs has a minimum capacity of 1000 watts of refrigeration at 20° Kelvin. It provides a flow of 350 lb/hr. of helium gas at 40-55 PSIG. The cycle is a closed system, incorporating a single stage expansion engine, operating between 285 PSIG and 45 PSIG. A predetermined temperature level is selected and the cycle will automatically maintain this level at varying external loads within its designed capacity.

Specification for the Model HE-1000-2

Compressor is an 8 x 5 1/2 straight line two stage, two cylinder unit with non-lubricated glass-filled teflon packings. Capacity is 150 CFM, inlet pressure 58.8 psia and temperature of 75°F.

Expansion engine is a 3 1/2 x 5 single stage, single cylinder

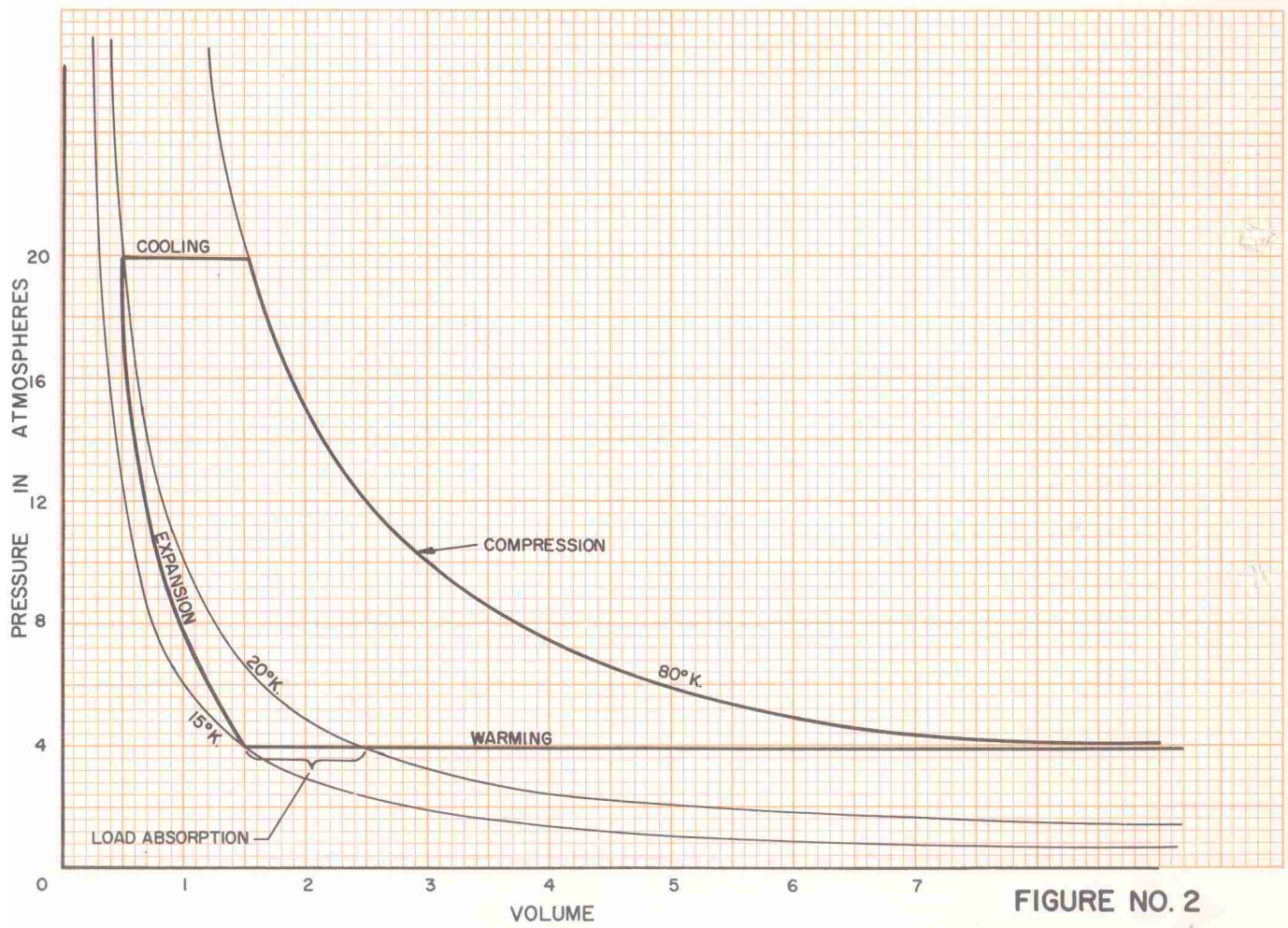
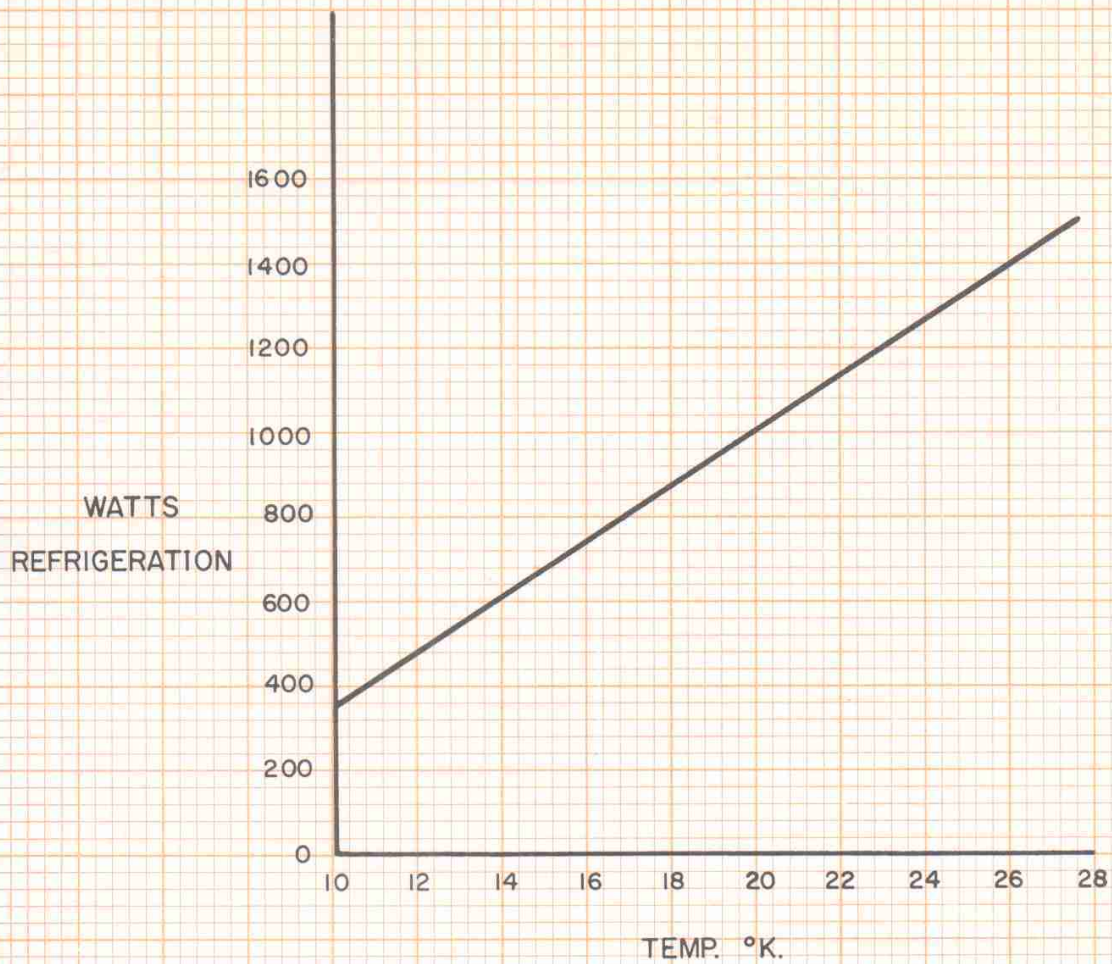


FIGURE NO. 2



REFRIGERATION VS. TEMPERATURE

FIGURE NO. 1

helium type unit with inlet conditions of 280 psig, 22.8°K and 350 lbs/hr. at a speed of 300 RPM.

Heat exchanger is a proprietary CryoVac design, built specifically for helium refrigeration systems.

Silica Gel Purifier is equipped with heaters and is connected to the system's central vacuum pump for regeneration purposes. Temperature is monitored and controlled during regeneration with an indicating controller.

The cold portions of the cycle are in two vacuum insulated cylinders, one containing the high temperature section of the heat exchanger and the purifier and the other containing the low temperature section of the heat exchanger and the expansion

engine. These are designed so that all components are accessible for maintenance and repair with a minimum amount of disassembly.

The transfer lines for the refrigerated helium are fully vacuum jacketed incorporating the latest type "super-insulation" and provided with fully vacuum jacketed cold valves of proven design. All joints in these lines are close tolerance bayonet-type joints, also proven by long experience to give the lowest possible heat leak.

In order to provide stable operation with refrigeration loads varying all the way from 0 to 1 kilowatt, a heater is placed in the helium return line from the load with a vapor pressure thermometer in the same line. A Minneapolis-Honeywell pneumatic controller, actuated by the vapor pressure thermo-

meter, controls the heat input to the heater to maintain the return gas temperature at a preset level, which is the maximum temperature allowable in the cryopump panels, in this case 20°K. This temperature may be varied over a range of plus or minus 2-3°K as desired.

The cycle is fed with helium gas from a low pressure line and storage vessel. Regulation of the low pressure will be automatic with a regulator on the storage vessel. Control of the high pressure side is accomplished by manual regulation of the speed of the expanders, and also by automatic relief valves between the high pressure line and the gas storage tank. Other automatic devices in the system include a liquid level control for the purifier, overspeed protection on the expander,

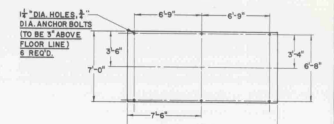
and various safety valves and protective shut-offs consistent with good practice on this type of equipment. It is assumed that the customer will supply the gaseous helium required for start-up and testing of the cycle.

As shown in the outline drawing, the entire system, except for the compressor, is a skid-mounted package, fully assembled, and factory checked for performance before shipment. The entire front panel of the skid is a graphic control panel, on which is mounted all principal valves and controls needed for operation. The graphic panel shows the flow diagram and functions of all the controls. Pressure gauges on this panel monitor pressure at twelve points in the system, and temperature is monitored in the purifier, at the inlet and exhaust of the expanders, and at the return point from the cryopanel.

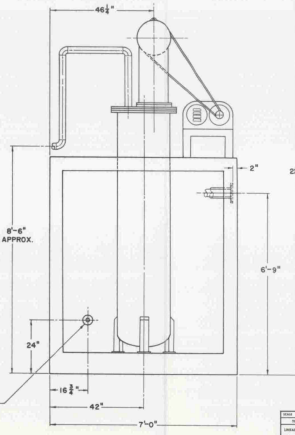
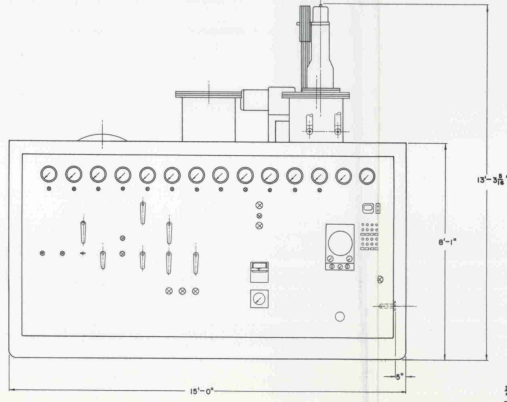
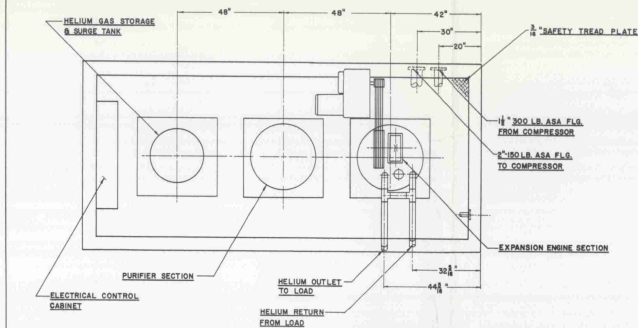
NO.	REV.	DATE	BY	CHKD.	DESCRIPTION

MODEL	HEATED CAPACITY AT TOTAL OR BELOW 20% WST. LBS. PER SQ. FT. LBS.	FLOOR LOADING	AIR REQ'D. (MANUAL OPERATION)	AIR REQ'D. (REMOTE OPERATION)	POWER REQ'D.	L.N. REQ'D.
HE-200-2	3 KW	10,000	522	20 S.C.F.H. AT 100 P.S.I.G.	15 KW AT 440 VOLTS 3 PHASE 60 C.P.S.	6 GALS. PER HR.
HE-750-2	3 KW	10,500	548	25 S.C.F.H. AT 100 P.S.I.G.	15 KW AT 440 VOLTS 3 PHASE 60 C.P.S.	6 GALS. PER HR.
HE-1000-2	1 KW	11,000	575	30 S.C.F.H. AT 100 P.S.I.G.	15 KW AT 440 VOLTS 3 PHASE 60 C.P.S.	6 GALS. PER HR.

MODEL	TOTAL FLOOR LOADING	POWER REQ'D.	WATER REQ'D.	FLOOR SPACE REQ'D.	ADD 4'-0" TO THIS LENGTH TO ALLOW FOR REMOVAL OF PISTON
HE-200-2	5,800	37 KW AT 440 VOLTS 3 PHASE 60 C.P.S.	4 S.P.M. AT 70° F.	4'-0" 2'-0" 10'-8"	14'-8"
HE-750-2	6,275	37 KW AT 440 VOLTS 3 PHASE 60 C.P.S.	5 S.P.M. AT 70° F.	4'-0" 3'-6" 11'-9"	15'-5"
HE-1000-2	7,000	37 KW AT 440 VOLTS 3 PHASE 60 C.P.S.	6 S.P.M. AT 70° F.	4'-0" 4'-0" 13'-0"	17'-0"



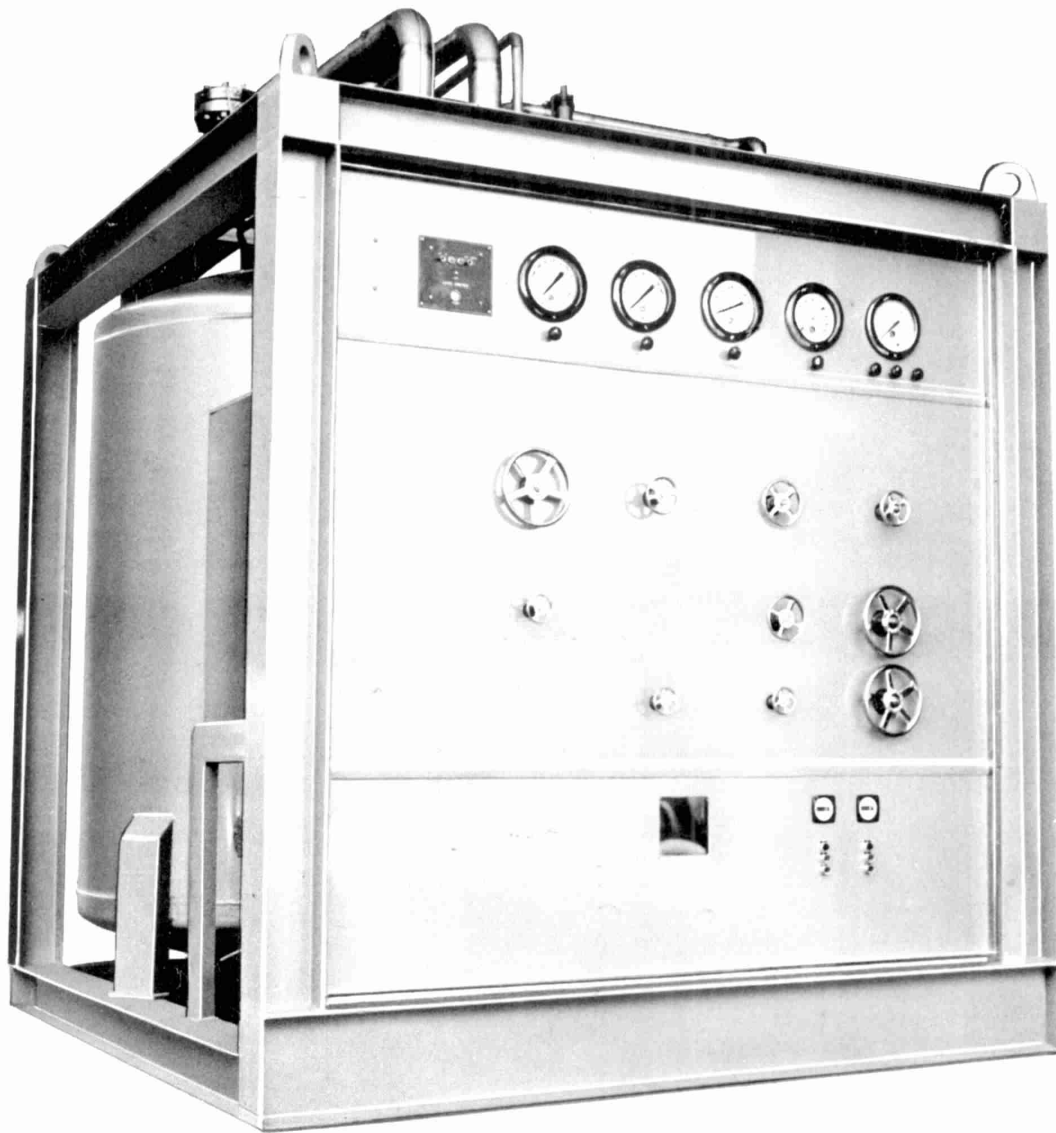
- ANCHOR BOLT PLAN
- MANUALLY CONTROLLED MODEL IS STANDARD. REMOTE CONTROL DETAILS UPON REQUEST.
 - LEFT HAND AND RIGHT HAND UNITS ARE STANDARD. THIS DRAWING SHOWS LEFT HAND MODEL—RIGHT HAND OPPOSITE.
 - OVERHEAD CLEARANCE REQUIRED FOR REMOVAL OF EXPANSION ENGINE AND PURIFIER SECTION.



DESIGNED BY	DATE	REVISION	BY	DATE

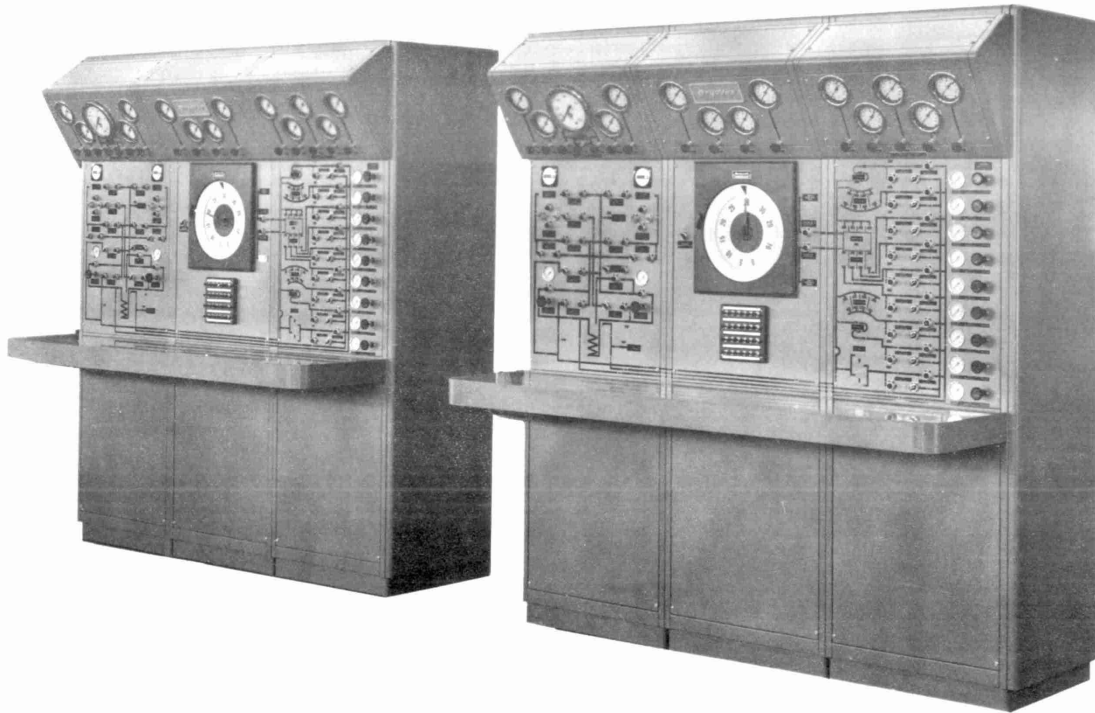
SK-1028

The unit is also available for remote operation, in which case a remote console is provided, and operation of the unit can be carried out from the main panel on the skid, or from the remote console.



CRYOVAC MODEL LN-150
LIQUID NITROGEN SUBCOOLER

EXH C



REMOTE CONTROL CONSOLES DESIGNED AND BUILT BY CRYOVAC
FOR OPERATING AND MONITORING A COMPLETE CRYOGENIC SYSTEM.

EXH 1)

HOW TO BRING SPACE DOWN TO



EARTH



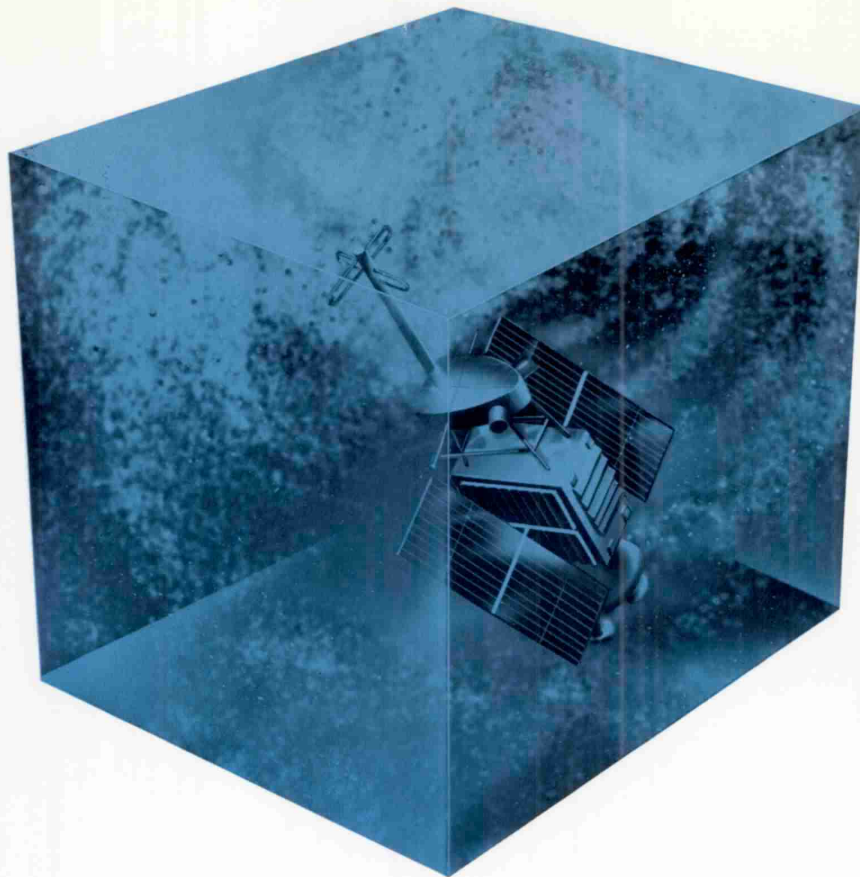
ADVENT . . . NIMBUS . . . RANGER . . . during the months and years ahead extensive scientific data will be gathered from these and other satellite systems circling about or with the earth. Extremely complex, extremely sophisticated, these space vehicles must of necessity be put through tests simulating as closely as possible the spacial environment. Cold beyond comprehension, searing heat, ultra high vacuums — these are some of the conditions that must be simulated. CRYOVAC, the leader in the field of space-age cryogenics, has built and is building most of the cryogenic systems required to achieve these conditions. Satellites like Advent and Nimbus will be orbited only after hours and hours of grueling punishment in space simulators, the design and construction of which CryoVac played an important part ■ The experience and know-how gained in testing and building these sophisticated test facilities are at your disposal. Why not get in touch with CryoVac at your earliest convenience.



CryoVac
INCORPORATED

COLUMBUS 12, OHIO

EXH E

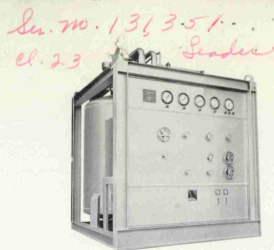
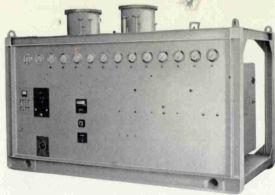


Space environment built to order. As a result of the emphasis on space age research, man has accomplished feats never dreamed of just a few short years ago. One of the more unique of these is his ability to simulate the spacial environment—he can literally package a piece of space in an earth-bound container. CryoVac, a leader in space-age cryogenics has been one of the pioneers in space simulation. CryoVac has played a major role in the design and building of most of the space simulators in existence today—simulators in which the conditions of outer space—cold, heat, vacuum—can be reproduced to an almost exact degree. Many of the complex space vehicles now in orbit or soon to be placed in orbit have been or will be exhaustively tested in such simulators. There is no substitute for experience and CryoVac has this experience. Let us put it to work for you. Write or call CryoVac at your earliest convenience. Inquiries from qualified scientists and engineers regarding employment opportunities are invited.



CryoVac
INCORPORATED
COLUMBUS 12, OHIO

EXH F



HELIUM REFRIGERATORS

CryoVac has developed a series of highly efficient dense gas helium refrigerators. These compact skid-mounted cycles provide refrigeration below 20°K (-423°F) for a wide variety of applications. Most of the large space simulators now in operation or under construction employ CryoVac Helium Refrigerators for cryopumping. They are also applicable to hydrogen and neon liquefaction, electronic system cooling and low temperature research. — The Model HE-1000-2 illustrated above is typical of the rugged but compact construction of these units. Not a laboratory curiosity, the CryoVac cycle has been designed for maximum reliability, minimum maintenance and continuous "on-stream" capability. This particular unit produces over 1000 watts (3410 BTU/HR) of refrigeration at or below 20° Kelvin. — A bulletin containing full details about the CryoVac cycles is available upon request.

*Can be modified for producing liquid helium

NITROGEN SYSTEMS

A complete line of nitrogen thermal cycles is available from CryoVac. Designed primarily for use with the heat sinks and thermal shrouds of space simulation facilities, these units provide heating and cooling throughout a full range of temperatures from +500°F to -300°F. A wide variety of capacities and sizes can be furnished, depending upon the particular requirement. Subcooled liquid nitrogen systems, distribution panels, heating and cooling cycles and reliquifiers are offered as standard equipment. Pictured above is the Model LN-150, a 150 KW subcooled liquid nitrogen system. — Write for bulletin no. 203 which presents detailed specifications on the nitrogen systems. — CryoVac also builds cryogenic storage and handling equipment including vacuum jacketed transfer lines, valves and accessories. Catalogues and price lists available.



CryoVac
INCORPORATED

CRYOVAC INCORPORATED • 930 KINNARD ROAD • COLUMBUS 12, OHIO

PRINTED IN U.S.A.



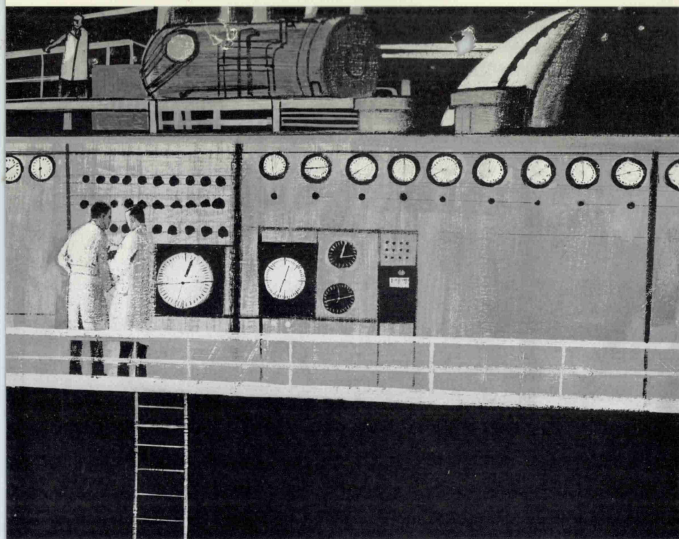
Bulletin No. 201

EXH A

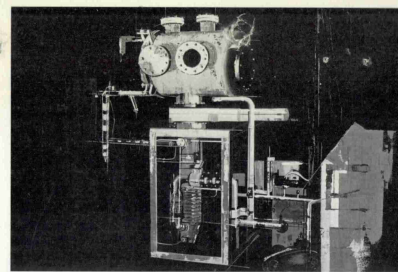
SPACE-AGE CRYOGENICS



CryoVac
INCORPORATED



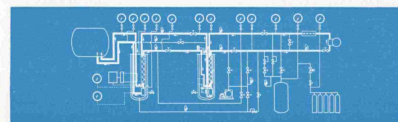
Space-age cryogenics is a relatively new science. Born of the demands of the space age it was a marriage of the art of space simulation with the science of cryogenics. The history of CryoVac can be traced to the advent of space-age cryogenics. As James G. Pierce & Associates, Limited and later as CryoVac Incorporated, the company was involved with a number of the earliest projects both as designers of low temperature systems and manufacturers of equipment. From that time to the present the company has participated in most of the advanced space simulation projects throughout the country. — CryoVac's qualifications, however, extend beyond that of space simulation. Its diversity of ability and breadth of scope encompasses a much larger field. CryoVac designs, fabricates and erects a wide variety of systems, equipment and facilities employing cryogenics. — The ability and scope of CryoVac can best be described with one word... people. Its list of people includes some of the earliest researchers in the field of cryogenics. It includes scientists and engineers, some of whom have more than fifteen years experience in the field. — Combine experienced people with modern well equipped facilities, located only a few blocks from the world famous Ohio State University Research Center and this is CryoVac. Over 44,000 square feet including a well equipped research and development laboratory, prototype shop and a modern manufacturing area, complement the design and engineering capability.



SCOPE. The scope of CryoVac is indeed extensive. It includes an almost limitless capability in the field of cryogenics. Basically, it encompasses three main areas of endeavor... Systems Engineering, Contract Research and Development and Construction of useful cryogenic hardware. — That CryoVac's ability in the field of Systems Engineering is unmatched can be attested to by its experience. It not only designs, fabricates and erects a wide variety of cryogenic systems and facilities, but has acted as both project manager and team member on countless projects. In order that you may better understand CryoVac's capabilities, a few of the projects in which it has participated are described.

- ▶ Both over-all technical responsibility for and project manager status in the design, fabrication and erection of Gas Liquefaction and Ultra Low Temperature Refrigeration Equipment.
- ▶ Design and fabrication of Liquefied Gas Storage and Handling Equipment.
- ▶ Control and instrumentation of low temperature process, using mediums such as hydrogen and helium.
- ▶ Applications involving the reliquefaction and conservation in space simulation chambers.

The problems of the space-age are numerous. New theories, new techniques are constantly being devised to answer the many complex problems posed by man's attempt to conquer space. CryoVac, with ability to conduct research and development work on a contract basis, has helped to answer some of these questions. For example, CryoVac has recently completed a study involving the analysis of different configurations of cryopumping arrays. — It is presently applying its cryogenic know-how to test facilities other than space simulation chambers. A unique approach is the design and fabrication of an arc jet test facility in which the tremendous volumes of exhaust vapors are "frozen out" rather than pumped. — These are just a few of the achievements of CryoVac in the complex world of cryogenics. Of equal importance is CryoVac's experience and capability in the design and construction of cryogenic hardware. CryoVac's Helium Refrigerators and Nitrogen Systems, for example, are highly regarded for their simplicity of design and economy of operation. — Experience, people, facilities... these then are what CryoVac has to offer. CryoVac... leader in space-age cryogenics.



X

TRADEMARK ASSIGNMENT QUERY AS OF 11/25/2003 9:23:29
REEL/FRAME DATA

REEL: 2753	DATE LAST UPDATED: 11/25/2003
FRAME: 0335	DATE IN SYSTEM:
	DATE KEYED IN:
NUMBER OF PAGES: 009	RECORDATION DATE: 11/25/2003
	DATE MAILED: 11/25/2003
ELECTRONIC SUBMISSION: N	ASSIGNMENT RECEIPT DATE: 11/25/2003
PTAS SUBMISSION: Y	CONVEY EFFECTIVE DATE:

CORRESPONDENCE

NAME: R. BLAKE JOHNSTON, ESQ.
PIPER RUDNICK LLP P.O. BOX 64807
CHICAGO, IL 60664-0807

BRIEF CODE: 28
BRIEF TEXT: MERGER

CONVEYING PARTY DATA

ENTRY: 001
NAME: PROCESS SYSTEMS INTERNATIONAL, INC.
FORMERLY:
ENTITY: 03 - CORPORATION
ENTITY TEXT:
CITIZENSHIP: -
EXECUTION DATE: 04/03/2000

RECEIVING PARTY DATA

ENTRY: 600
NAME: CHART INC.
COMPOSED OF:
DBA/AKA/TA:
ADDRESS: 5885 LANDERBROOK DRIVE
CLEVELAND
STE/CTRY CODE: OH - OHIO
ZIP CODE: 44124
ENTITY: 03 - CORPORATION
ENTITY TEXT:
CITIZENSHIP: -

43

DOMESTIC REPRESENTATIVE DATA

NAME:

PROPERTY DATA

SERIAL NUMBER: 72131351 FILING DATE: 11/06/1961
REGISTRATION NUMBER: 0740009 ISSUE DATE: 10/30/1962
WORD MARK: CVI
MARK DESCRIPTION: WORDS, LETTERS, OR NUMBERS AND DESIGN
LOCATION: 837 - POST REGISTRATION
LOCATION DATE: 05/29/03
EXAMINER:

X

TRADEMARK ASSIGNMENT QUERY AS OF 5/29/2003 14:19:58
REEL/FRAME DATA

REEL: 1254	DATE LAST UPDATED: 01/23/1995
FRAME: 0364	DATE IN SYSTEM: 12/28/1994
	DATE KEYED IN: 01/04/1995
NUMBER OF PAGES: 006	RECORDATION DATE: 12/02/1994
	DATE MAILED: 01/23/1995
ELECTRONIC SUBMISSION: N	ASSIGNMENT RECEIPT DATE:
PTAS SUBMISSION: N	CONVEY EFFECTIVE DATE:

CORRESPONDENCE

NAME: SCOTT D. BALDERSTON
1828 L STREET
SUITE 1111
WASHINGTON, D.C. 20036

BRIEF CODE: 01

BRIEF TEXT: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

CONVEYING PARTY DATA

ENTRY: 001
NAME: CVI INCORPORATED
FORMERLY:
ENTITY: 03 - CORPORATION
ENTITY TEXT:
CITIZENSHIP: OH - OHIO
EXECUTION DATE: 10/31/1994

R 2691
0240

RECEIVING PARTY DATA

ENTRY: 600
NAME: PROCESS SYSTEMS INTL. INC.
COMPOSED OF:
DBA/AKA/TA:
ADDRESS: WESTBOROUGH, MA
STE/CTRY CODE:
ZIP CODE:
ENTITY: 03 - CORPORATION
ENTITY TEXT:
CITIZENSHIP: MA - MASSACHUSETTS

42

DOMESTIC REPRESENTATIVE DATA

NAME:

PROPERTY DATA

SERIAL NUMBER: 72131351 FILING DATE: 11/06/1961
REGISTRATION NUMBER: 0740009 ISSUE DATE: 10/30/1962
WORD MARK: CVI
MARK DESCRIPTION: WORDS, LETTERS, OR NUMBERS AND DESIGN
LOCATION: 834 - POST REGISTRATION
LOCATION DATE: 05/13/03
EXAMINER:

ASSIGNMENTS

OCT 13 1967

- ☒ No previous assignments of record as of 7/14/67
☐ See Title Record for ownership information prior to this record

REG. NO.	740 009
SER. NO.	

Serial No.	Filing Date	Reel	Frame	Registration Date	Reg. No.
	Jan. 16, 1967	147	410	Nov. 6, 1961	740,009
Date	Jan. 16, 1967	(Trade-Mark)		Date Recorded	Feb. 16, 1967
Registrant	Cryovac, Inc. d.b.a. Cryovac Incorporated				
Assignor	Cryovac, Inc.				
Assignee	CVI Corporation				
Brief	Certified copy of change of name filed in the Office of the Secretary of State of Ohio, on Jan. 3, 1967.				

40

Serial No.	Filing Date	Reel	Frame	Registration Date	Reg. No.
	Apr. 28, 1981 Ack.	393	629	Oct. 30, 1962	740,009
Date	Apr. 28, 1981 Ack.	(Trade-Mark)		Date Recorded	June 15, 1981
Registrant	Cryovac Inc. dba Cryovac Incorporated				
Assignor	CVI Corporation P.O. Box 2138, Columbus, OH 43216 a corp. of OH				
Assignee	CVI Incorporated, 4200 Lyman Court, Hilliard, OH 43206				
Brief	Assigns the entire interest and the good will.				

41

JUL 30 1982
R.H.

TRADEMARK ASSIGNMENT QUERY AS OF 2/20/2003 8:45:52
REEL/FRAME DATA

REEL: 0393	DATE LAST UPDATED: 10/28/1991
FRAME: 0664	DATE IN SYSTEM: 00/00/0000
	DATE KEYED IN: 00/00/0000
NUMBER OF PAGES: 003	RECORDATION DATE: 06/25/1981
	DATE MAILED: 00/00/0000
ELECTRONIC SUBMISSION: N	ASSIGNMENT RECEIPT DATE:
PTAS SUBMISSION: N	CONVEY EFFECTIVE DATE:

CORRESPONDENCE

NAME: SEIDEL, GONDA, GOLDHAMMER ET AL.
STE. 600
THREE PENN CENTER PLAZA
PHILADELPHIA, PA 19102

BRIEF CODE: 01

BRIEF TEXT: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

CONVEYING PARTY DATA

ENTRY: 001
NAME: BARNEBEY-CHEYNEY COMPANY
FORMERLY:
ENTITY: 03 - CORPORATION
ENTITY TEXT:
CITIZENSHIP: OH - OHIO
EXECUTION DATE: 00/00/0000

N/A
See paper # 9

RECEIVING PARTY DATA

ENTRY: 600
NAME: CVI INCORPORATED
COMPOSED OF:
DBA/AKA/TA:
ADDRESS: 4200 LYMAN COURT
HILLIARD
STE/CTRY CODE: OH - OHIO
ZIP CODE: 43206
ENTITY: 03 - CORPORATION
ENTITY TEXT:
CITIZENSHIP: OH - OHIO

DOMESTIC REPRESENTATIVE DATA

NAME:

PROPERTY DATA

SERIAL NUMBER: 72131351 FILING DATE: 11/06/1961
REGISTRATION NUMBER: 0740009 ISSUE DATE: 10/30/1962
WORD MARK: CVI
MARK DESCRIPTION: WORDS, LETTERS, OR NUMBERS AND DESIGN
LOCATION: 839 - POST REGISTRATION
LOCATION DATE: 01/14/03
EXAMINER:

23
31

131351

CryoVac, Inc., d/b/a CryoVac Incorporated

930 Kinnear Road

Columbus 12, Ohio

June 1961 (intrastate commerce)

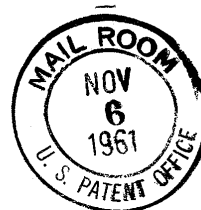
June 1961 (interstate commerce)

for pumping systems, low temperature
processing equipment and related components

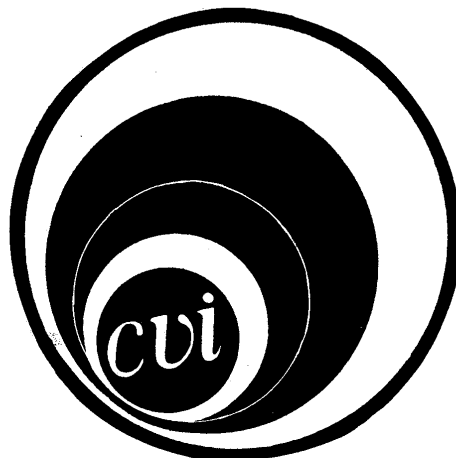
740009

REGISTERED

OCT 30 1962



A 165



PUBLISHED IN O. G.

AUG 14 1962

U. S. Patent Office

3



CryoVac

INCORPORATED

COLUMBUS, OHIO



131351



72131351

FILING DATE
11/06/1961REGISTRATION #
740009

CLASS.

31

CONTENTS:

Application T papers.

1. MAY 16 1962
2. Amdt A + Encls. June 8/62
3. Examine Amdt. B June 28, 1962 ✓
4. N of P
5. COMB. AFF. SEC 8 & 15 NOV 3 1967
6. Gen Ret. Sept 29, 1982
7. Section 8 & 9 6 NOV 2002
8. FEB 20 2003 (10)
9. RESPONSE 4-18-03
10. MAY 29
11. RESPONSE 11-24-03
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.
- 31.

Specimen to
May P. Carando
5.3.77

131351

RENEWAL

REG. NO. 740009		MARK <i>CVI AND DES.</i>	SER. NO. 131351
Registered (date) OCT 30 1962		Type of Mark	<i>Leads</i>
Class 23 31	Filed Complete NOV. 6, 1961	Serial No. 131 351	PRINCIPAL REGISTER
Applicant and Post Office CRYOVAC, INC., OHIO CORP., D.B.A. CRYOVAC INCORPORATED, 930 KINNEAR RD. COLUMBUS 12, OHIO <i>CVI Incorporated Ohio Corp. Columbus, Ohio</i>			Amended
<input type="checkbox"/> Assignee of <input type="checkbox"/> By change of name from			Parts Filed Application Verification Specimens Drawings Fee \$25.00 29 SEP 1982
Mark CVI AND DES.			Goods—Services
Attorney [REDACTED]			Passed for Publication <i>G. Leader</i>
Associate Attorney			Passed for Registration <i>Amended</i>
Other Data			A Sec. 8 F I D A V I T Sec. 15 Sec. 12c
Claims Ownership of Registration			Passed for Renewal <i>Patricia A. Smith M. Bowman</i>
Goods—Services PUMPING SYSTEMS, LOW TEMPERATURE PROCESSING EQUIPMENT, AND RELATED COMPONENTS <i>See Inside (and t'd)</i>			Renewed From OCT 30, 1982 OCT 30, 2002 PER. CH. 11
First Use JUNE, 1961			PUBLISHED IN O. G.
In Commerce JUNE 1961			AUG 14 1962 U



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

Sep 5, 2008

NOTICE OF DESIGN SEARCH CODE

R BLAKEJOHNSTON
PIPER RUDNICK LLP
P O BOX 64807
CHICAGO IL 606640807

ATTORNEY REFERENCE NUMBER: 22459/04295

SERIAL NUMBER: 72/131351

REGISTRATION NUMBER: 0740009

MARK: CVI AND DESIGN

OWNER: CHART INC.

The USPTO may assign design search codes, as appropriate, to new applications and renewed registrations to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

Design search codes are numerical codes assigned to figurative, non-textual elements found in marks. For example, if your mark contains the design of a flower, design search code 05.05 would be assigned to your application. Design search codes are described on Internet Web page <http://www.uspto.gov/tmdb/dscm/index.html>.

Response to this notice is not required; however, to suggest additions or changes to the design search code(s) assigned to your mark, please e-mail TMDesignCodeComments@USPTO.GOV. You **must** reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

Design search codes assigned to the referenced serial number are listed below.

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514
www.uspto.gov

REGISTRATION NO: 0740009 SERIAL NO: 72/131351 MAILING DATE: 12/11/2003
REGISTRATION DATE: 10/30/1962
MARK: CVI AND DESIGN
REGISTRATION OWNER: CHART INC.

CORRESPONDENCE ADDRESS:

R BLAKEJOHNSTON
PIPER RUDNICK LLP
P O BOX 64807
CHICAGO IL 606640807

NOTICE OF ACCEPTANCE

15 U.S.C. Sec. 1058(a)(3)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 8 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1058.

ACCORDINGLY, THE SECTION 8 AFFIDAVIT IS ACCEPTED.

NOTICE OF RENEWAL

15 U.S.C. Sec. 1059(a)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 9 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1059.

ACCORDINGLY, THE REGISTRATION IS RENEWED.

THE REGISTRATION WILL REMAIN IN FORCE FOR CLASS(ES):
031.

EVERETT, PATRICIA
PARALEGAL SPECIALIST
POST-REGISTRATION DIVISION
(703)308-9500

**PLEASE SEE THE REVERSE SIDE OF THIS NOTICE FOR INFORMATION
CONCERNING REQUIREMENTS FOR MAINTAINING THIS REGISTRATION**

ORIGINAL

REQUIREMENTS FOR MAINTAINING A FEDERAL TRADEMARK REGISTRATION

I) SECTION 8: AFFIDAVIT OF CONTINUED USE

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. Sec. 1058, at the end of each successive 10-year period following the date of registration.

Failure to file the Section 8 Affidavit will result in the cancellation of the registration.

II) SECTION 9: APPLICATION FOR RENEWAL

The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. Sec. 1059, at the end of each successive 10-year period following the date of registration.

Failure to file the Application for Renewal will result in the expiration of the registration.

NO FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS WILL BE SENT TO THE REGISTRANT BY THE PATENT AND TRADEMARK OFFICE. IT IS RECOMMENDED THAT THE REGISTRANT CONTACT THE PATENT AND TRADEMARK OFFICE APPROXIMATELY ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARK : CVI and Design
REGISTRANT : Chart, Inc.
REG. NO. : 740,009
REGISTERED : October 30, 1962
CLASS NO. : 11

Honorable Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513
Attention: Patricia A. Everett
Post Registration Division

SUPPLEMENTAL RESPONSE TO POST REGISTRATION OFFICE ACTION

Dear Ma'am:

As a supplement to the Response to Post Registration Office Action filed on November 24, 2003, registrant of record, Chart Inc., hereby presents the attached Confirmation Receipt evidencing recordation against the above mark of the Certificate of Merger that was included with the November 24th response.

The Commissioner is hereby authorized to charge the payment of any other fees associated with this communication, to Deposit Account Number 18-2284

Respectfully submitted,



R. Blake Johnston
Attorney for Registrant
Piper Rudnick LLP
P.O. Box 64807
Chicago, Illinois 60664-0807
(312) 368-4000

Dated: November 30, 2003

-CHGO130382874.v1

PTO/USB/97 (08-03)

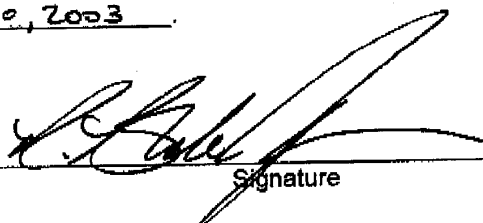
Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-746-6413)

on November 30, 2003
Date



Signature

R. Blake Johnston

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Enclosed: Supplemental
Response to Post Registration Office Action

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Facsimile Transmission Sheet

Piper Rudnick203 North LaSalle Street, Suite 1800
Chicago, Illinois 60601-1293
www.piperrudnick.comMAIN PHONE (312) 368-4000
FAX (312) 236-7516DATE: 11/30/2003

SENDER'S INFORMATION

NAME: R. Blake JohnstonPHONE: 312-368-8924FAX: 312-630-6310

To:	Company:	Confirmation Phone No:	Fax No:
Patricia Everett	USPTO		703-746-6413
No. of Pages (including fax sheet): <u>5</u>		Billing Number/Attorney ID#:	

Original ☐ will / ☒ will not follow.If there are problems with this transmittal, please call Blake at 312-368-8924. Thank you.

Comments:

The information contained in this facsimile message is confidential and, if addressed to our client or certain counsel, is subject to the attorney-client or work product privilege. This message is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U. S. Postal Service.



UNITED STATES PATENT AND TRADEMARK OFFICE

Home Index Search System Alerts eBusiness Center News & Notices Contact Us

Electronic Trademark Assignment System



Confirmation Receipt

Your trademark assignment has been received by USPTO.
The coversheet of the assignment is displayed below:

TRADEMARK ASSIGNMENT			
Electronic Version v1.1 Stylesheet Version v1.1			
SUBMISSION TYPE:		NEW ASSIGNMENT	
NATURE OF CONVEYANCE:		MERGER	
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Process Systems International, Inc.		04/03/2000	CORPORATION
RECEIVING PARTY DATA			
Name:	Chart Inc.		
Street Address:	5885 Landerbrook Drive		
City:	Cleveland		
State/Country:	OHIO		
Postal Code:	44124		
Entity Type:	CORPORATION		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	0740009	CVI	
CORRESPONDENCE DATA			
Fax Number: (312)236-7516 Correspondence will be sent via US Mail when the fax attempt is unsuccessful. Phone: 312-369-8921 Email: laura.janson@piperrudnick.com Correspondent Name: R. Blake Johnson, Esq. Address Line 1: Piper Rudnick LLP P.O. Box 64807 Address Line 2: Chicago, ILLINOIS 60664-0807			
ATTORNEY DOCKET NUMBER:		246251-000003	
NAME OF SUBMITTER:		Laura Janson	
Total Attachments: 7 source=chartmerge#page1.tif source=chartmerge#page2.tif source=chartmerge#page3.tif source=chartmerge#page4.tif source=chartmerge#page5.tif			

NOV-30-2003 15:39
Confirmation Receipt

PIPER/RUDNICK #50

3122367516 P.05
11/30/2003

source=charmerge#page6.tif
source=charmerge#page7.tif

RECEIPT INFORMATION

ETAS ID:	TM5955
Receipt Date:	11/25/2003
Fee Amount:	\$ 40

[Return to ETAS Home Page](#)

[Start another assignment](#)

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM STATUS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

Facsimile Transmission Sheet

Piper Rudnick

203 North LaSalle Street, Suite 1800
 Chicago, Illinois 60601-1293
 www.piperrudnick.com

MAIN PHONE (312) 368-4000
 FAX (312) 236-7516

DATE: 11/30/2003

SENDER'S INFORMATION

NAME: R. Blake JohnstonPHONE: 312-368-8921FAX: 312-630-6310

To:	Company:	Confirmation Phone No:	Fax No:
Patricia Everett	USPTO		703-746-6413
No. of Pages (including fax sheet): <u>5</u>		Billing Number/Attorney ID#:	

Original ☐ will / ☒ will not follow.If there are problems with this transmittal, please call Blake at 312-368-8921. Thank you.**Comments:**

The information contained in this facsimile message is confidential and, if addressed to our client or certain counsel, is subject to the attorney-client or work product privilege. This message is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U. S. Postal Service.

Piper Rudnick LLP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARK : CVI and Design
REGISTRANT : Chart, Inc.
REG. NO. : 740,009
REGISTERED : October 30, 1962
CLASS NO. : 11

Honorable Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513
Attention: Patricia A. Everett
Post Registration Division

SUPPLEMENTAL RESPONSE TO POST REGISTRATION OFFICE ACTION

Dear Ma'am:

As a supplement to the Response to Post Registration Office Action filed on November 24, 2003, registrant of record, Chart Inc., hereby presents the attached Confirmation Receipt evidencing recordation against the above mark of the Certificate of Merger that was included with the November 24th response.

The Commissioner is hereby authorized to charge the payment of any other fees associated with this communication, to Deposit Account Number 18-2284

Respectfully submitted,



R. Blake Johnston
Attorney for Registrant
Piper Rudnick LLP
P.O. Box 64807
Chicago, Illinois 60664-0807
(312) 368-4000

Dated: November 30, 2003

-CHGO1:30382874.v1

PTO/SB/97 (08-03)

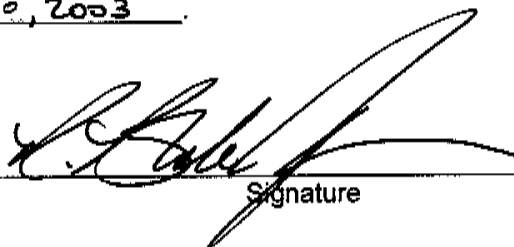
Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 703-746-6413)

on November 30, 2003
Date



Signature

R. Blake Johnston

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Enclosed: Supplemental
Response to Post Registration Office Action

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

[Home](#)[Index](#)[Search](#)[System Alerts](#)[eBusiness Center](#)[News & Notices](#)[Contact Us](#)

Electronic Trademark Assignment System

eTAS

Confirmation Receipt

Your trademark assignment has been received by USPTO.
The coversheet of the assignment is displayed below:

TRADEMARK ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	MERGER		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Process Systems International, Inc.		04/03/2000	CORPORATION:
RECEIVING PARTY DATA			
Name:	Chart Inc.		
Street Address:	5885 Landerbrook Drive		
City:	Cleveland		
State/Country:	OHIO		
Postal Code:	44124		
Entity Type:	CORPORATION:		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	0740009	CVI	
CORRESPONDENCE DATA			
Fax Number:	(312)236-7516		
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.			
Phone:	312-369-8921		
Email:	laura.janson@piperrudnick.com		
Correspondent Name:	R. Blake Johnston, Esq.		
Address Line 1:	Piper Rudnick LLP P.O. Box 64807		
Address Line 4:	Chicago, ILLINOIS 60664-0807		
ATTORNEY DOCKET NUMBER:	246251-000003		
NAME OF SUBMITTER:	Laura Janson		
Total Attachments: 7 source=chartmerge/page1.tif source=chartmerge/page2.tif source=chartmerge/page3.tif source=chartmerge/page4.tif source=chartmerge/page5.tif			

source=charmerge#page6.tif
source=charmerge#page7.tif

RECEIPT INFORMATION

ETAS ID:	TM5955
Receipt Date:	11/25/2003
Fee Amount:	\$ 40

[Return to ETAS home page](#)

[Start another assignment](#)

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM STATUS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

Facsimile Transmission Sheet

Piper Rudnick203 North LaSalle Street, Suite 1800
Chicago, Illinois 60601-1293
www.piperrudnick.comMAIN PHONE (312) 368-4000
FAX (312) 236-7516DATE: 11/24/2003

SENDER'S INFORMATION

NAME: R. Blake JohnstonPHONE: 312-368-8921FAX: 312-630-6310

To:	Company:	Confirmation Phone No:	Fax No:
Patricia Everett	USPTO		703-746-6413
No. of Pages (including fax sheet): <u>15</u>		Billing Number/Attorney ID#:	

Original ☐ will / ☐ will not follow.If there are problems with this transmittal, please call Blake at 312-368-8921. Thank you.

Comments:

The information contained in this facsimile message is confidential and, if addressed to our client or certain counsel, is subject to the attorney-client or work product privilege. This message is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U. S. Postal Service.

Piper Rudnick LLP

PAGE 1/15 * RCVD AT 11/24/2003 5:27:31 PM [Eastern Standard Time] * SVR:USPTO-EFXXRF-2/1 * DNIS:7466413 * CSID:3122367516 * DURATION (mm-ss):04-28

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARK : **CVI and Design**
REGISTRANT : **Chart, Inc.**
REG. NO. : **740,009**
REGISTERED : **October 30, 1962**
CLASS NO. : **11**

Honorable Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513
Attention: Patricia A. Everett
Post Registration Division

RESPONSE TO POST REGISTRATION OFFICE ACTION

Dear Ma'am:

Registrant of record, Chart Inc., hereby responds to the Office Action of May 29, 2003, refusing entry of the filed Section 8 Affidavit of Use and Section 9 Renewal Application on the basis that Office records indicated the registration is owned by Process Systems International Inc. and not Chart Inc., the party who filed the Section 8 Affidavit.

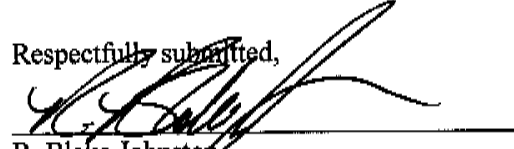
In response to the Office Action, enclosed is a copy of the Certificate of Merger whereby Process Systems International, Inc. merged with and into Chart Inc. As a result, it is believed that a complete chain of title currently exists for this registration and that the Section 8 and 9 documents should be accepted as filed.

If the named examiners or others at the Post-Registration division wish to discuss this matter in further detail, particularly the chain of title for this registration, they are invited to contact the undersigned at their earliest opportunity.

--CHGO1:30381786.v1

The Commissioner is hereby authorized to charge the deficiency surcharge of \$100.00, and the payment of any other fees associated with this communication, to Deposit Account Number 18-2284

Respectfully submitted,



R. Blake Johnston
Attorney for Registrant
Piper Rudnick LLP
P.O. Box 64807
Chicago, Illinois 60664-0807
(312) 368-4000

Dated: November 24, 2003

PTO/SB/97 (08-03)

Approved for use through 07/31/2008. OMB 0851-0031

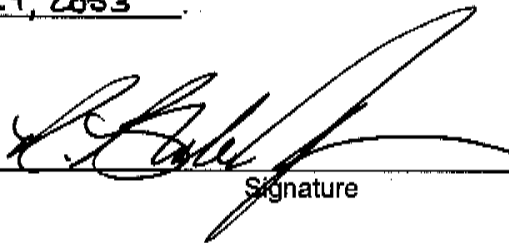
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 703-746-6413)

on November 24, 2003
Date



Signature

R. Blake Johnston

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

*Enclosed: Response to Post Registration Office Action
Certificate of Merger*

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES
PATENT AND
TRADEMARK OFFICE

JULY 29, 2003

PTAS

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

CALFEE, HALTER & GRISWOLD LLP
JAMES A. BALAZS
800 SUPERIOR AVENUE, SUITE 1400
CLEVELAND, OH 44114-2688



102390475A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/26/2003

REEL/FRAME: 002691/0240
NUMBER OF PAGES: 8

BRIEF: MERGER

ASSIGNOR:

PROCESS SYSTEMS INTERNATIONAL,
INC.

DOC DATE: 04/03/2000
CITIZENSHIP: MASSACHUSETTS
ENTITY: CORPORATION

ASSIGNEE:

CHART INC.
5885 LANDERBROOK DRIVE, SUITE 150
CLEVELAND, OHIO 44124

CITIZENSHIP: DELAWARE
ENTITY: CORPORATION

APPLICATION NUMBER: 74040554
REGISTRATION NUMBER: 1680064

FILING DATE: 03/21/1990
ISSUE DATE: 03/24/1992

MARK: CVI

DRAWING TYPE: STYLIZED WORDS, LETTERS, OR NUMBERS

DOCKETED

AUG 05 2003

RECEIVED

DBC IP. DEPT.

AUG 04 2003

DBC IP. DEPT.

002691/0240 PAGE 2

KIMBERLY WHITE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

03-14-2003

FORM PTO-1594

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office
22459/04555

102390475

FEB 26 2003

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies):</p> <p>Process Systems International, Inc.</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State (Massachusetts) <input type="checkbox"/> Other _____</p> <p>Additional names of conveying party(ies) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p> <p>3. Nature of Conveyance</p> <p><input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: <u>April 3, 2000</u></p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <u>Chart Inc.</u></p> <p>Internal Address:</p> <p>Street Address: <u>5885 Landerbrook Drive, Suite 150</u> City <u>Cleveland</u> State <u>Ohio</u> Zip <u>44124</u></p> <p><input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input checked="" type="checkbox"/> Corporation-State (<u>Delaware</u>) <input type="checkbox"/> Other _____</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> yes <input checked="" type="checkbox"/> No (Designations must be a separate document from assignment)</p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p>
<p>4. Application number(s) or patent number(s):</p> <p>A. Trademark Application No(s). : B. Trademark Registration No(s). None. : <u>1,680,064</u></p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>James A. Balazs Calfree, Halter & Griswold LLP 800 Superior Avenue, Suite 1400 Cleveland, Ohio 44114-2688</p> <p>CERTIFICATE OF MAILING Date: <u>Feb. 24, 2003</u> I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to : Assistant Commissioner for Trademarks, Box Assignments, 2900 Crystal Drive, Arlington, VA 22202-3513</p> <p><u>Joyce Ford</u> Signature</p>	<p>6. Total number of applications and registrations involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41): \$ <u>40.00</u></p> <p><input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account <input type="checkbox"/> Total Fee Due <input checked="" type="checkbox"/> Any deficiencies</p> <p>8. Deposit account number: <u>03-0172</u> (Attach duplicate copy of this page if paying by deposit account)</p>
<p align="center">DO NOT USE THIS SPACE</p>	
<p>9. Statement and signature</p> <p>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</p> <p><u>James A. Balazs</u> Name of Person Signing Signature</p> <p><u>2/24/03</u> Date</p> <p>Total number of pages comprising transmittal: _____</p>	

03/13/2003 DBYRNE

00000168 1680064

01 FC:8521

(JP2083.DOC;2)

State of Delaware
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"CRYENCO, INC.", A COLORADO CORPORATION,

"CRYENCO SCIENCES, INC.", A DELAWARE CORPORATION,

"PROCESS SYSTEMS INTERNATIONAL, INC.", A MASSACHUSETTS CORPORATION,

WITH AND INTO "CHART INC." UNDER THE NAME OF "CHART INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTY-FIRST DAY OF MARCH, A.D. 2000, AT 10 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Edward J. Freel
Edward J. Freel, Secretary of State

2049930 8100M

AUTHENTICATION:

0355175

CERTIFICATE OF MERGER
OF
CRYENCO SCIENCES, INC.
CRYENCO, INC.
PROCESS SYSTEMS INTERNATIONAL, INC.
AND
CHART INC:

It is hereby certified that:

1. The constituent business corporations participating in the merger herein certified are:

(i) Cryenco Sciences, Inc., which is incorporated under the laws of the State of Delaware ("Cryenco Sciences");

(ii) Cryenco, Inc., which is incorporated under the laws of the State of Colorado ("Cryenco");

(iii) Process Systems International, Inc., which is incorporated under the laws of the State of Massachusetts ("Process Systems"); and

(iv) Chart Inc., which is incorporated under the laws of the State of Delaware ("Chart").

2. An Agreement and Plan of Merger has been approved, adopted, certified, executed, and acknowledged by each of the aforesaid constituent corporations in accordance with the provisions of subsection (c) of Section 252 of the General Corporation Law of the State of Delaware, to wit, by Cryenco and Process Systems in accordance with the laws of the States of their incorporation and by Cryenco Sciences and Chart in the same manner as is provided in Section 251 of the General Corporation Law of the State of Delaware.

3. The name of the surviving corporation in the merger herein certified is Chart Inc., which will continue its existence as said surviving corporation under its present name upon the effective date of said merger pursuant to the provisions of the General Corporation Law of the State of Delaware.

4. The Certificate of Incorporation of Chart, as now in force and effect, shall continue to be the Certificate of Incorporation of said surviving corporation until amended and changed pursuant to the provisions of the General Corporation Law of the State of Delaware.

5. The executed Agreement and Plan of Merger between the aforesaid constituent corporations is on file at an office of the aforesaid surviving corporation, the address of which is as follows: 5885 Landerbrook Drive, Suite 150, Cleveland, Ohio 44124.

{GJD2045:1}

6. A copy of the aforesaid Agreement and Plan of Merger will be furnished by the aforesaid surviving corporation, on request, and without cost, to any stockholder of each of the aforesaid constituent corporations.

7. The authorized capital stock of Cryenco, Inc. consists of 1000 common shares of \$1.00 par value, and the authorized capital stock of Process Systems International, Inc. consists of 200,000 common shares of No Par Value.

Dated: March 30, 2000

CHART INC.

By: 

John T. Romain, Assistant Secretary

{GJD2045;1}

Process Systems International, Inc. Chart Inc.
 FEDERAL IDENTIFICATION NO. 04-3126695 FEDERAL IDENTIFICATION NO. 41-1396485

The Commonwealth of Massachusetts

William Francis Galvin
 Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-1512

ARTICLES OF ~~CONSOLIDATION~~ / *MERGER (General Laws, Chapter 156B, Section 79)

~~Consolidation~~ *merger of

Process Systems International, Inc.
a Massachusetts corporation

Chart Inc.

the constituent corporations, into

Chart Inc.

~~Consolidation~~ *one of the constituent corporations organized under the laws of Delaware

The undersigned officers of each of the constituent corporations certify under the penalties of perjury as follows:

1. An agreement of ~~consolidation~~ *merger has been duly adopted in compliance with the requirements of General Laws, Chapter 156B, Section 79, and will be kept as provided by Subsection (c) thereof. The ~~resulting~~ / *surviving corporation will furnish a copy of said agreement to any of its stockholders, or to any person who was a stockholder of any constituent corporation, upon written request and without charge.

2. The effective date of the ~~consolidation~~ *merger determined pursuant to the agreement of ~~consolidation~~ / *merger shall be the date approved and filed by the Secretary of the Commonwealth. If a later effective date is desired, specify such date which shall not be more than *thirty days* after the date of filing:

3. (For a merger)

**The following amendments to the Articles of Organization of the *surviving* corporation have been effected pursuant to the agreement of merger:

NONE

(For a consolidation)

(a) The purpose of the *resulting* corporation is to engage in the following business activities:

C ☐
 P ☐
 M ☐
 R.A. ☐

*Delete the inapplicable words.

Note: If the space provided under any article or item on this form is insufficient, additions shall be set forth on separate pages, which shall be made on a single sheet.

(For a consolidation)

(b) State the total number of shares and the par value, if any, of each class of stock which the *resulting* corporation is authorized to issue:

WITHOUT PAR VALUE		WITH PAR VALUE		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
Common:		Common:		
Preferred:		Preferred:		

******(c) If more than one class of stock is authorized, state a distinguishing designation for each class and provide a description of the preferences, voting powers, qualifications, and special or relative rights or privileges of each class and of each series then established.

******(d) The restrictions, if any, on the transfer of stock contained in the agreement of consolidation are:

******(e) Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or stockholders, or of any class of stockholders:

Item 4 below may be deleted if the resulting /surviving corporation is organized under the laws of a state other than Massachusetts.

~~4. The information contained in Item 4 is not a permanent part of the Articles of Organization of the resulting / surviving corporation.~~

~~(c) The street address of the resulting / surviving corporation in Massachusetts is: (post office boxes are not acceptable)~~

~~(b) The name, residential address and post office address of each director and officer of the "resulting / surviving corporation."~~

	NAME	RESIDENTIAL ADDRESS	POST OFFICE ADDRESS
President:			
Treasurer:			
Clerk:			
Directors:			

(c) The fiscal year end (i.e. tax year) of the "resulting / surviving corporation shall end on the last day of the month of

~~(d) The name and business address of the resident agent, if any, of the "resulting / surviving corporation is~~

Item 5 below may be deleted if the resulting/surviving corporation is organized under the laws of Massachusetts.

5. The ~~resulting / surviving~~ corporation hereby agrees that it may be sued in the Commonwealth of Massachusetts for any prior obligation of any constituent Massachusetts corporation, any prior obligation of any constituent foreign corporation qualified under General Laws, Chapter 181, and any obligations hereafter incurred by the ~~resulting / surviving~~ corporation, including the obligation created by General Laws, Chapter 156B, Section 85, so long as any liability remains outstanding against the corporation in the Commonwealth of Massachusetts, and it hereby irrevocably appoints the Secretary of the Commonwealth as its agent to accept service of process in any action for the enforcement of any such obligation, including taxes, in the same manner as provided in Chapter 181.

FOR MASSACHUSETTS CORPORATIONS

The undersigned "President / ~~XXXXX~~ and ~~XXXXX~~ / Assistant Clerk of Process Systems International, Inc., a corporation organized under the laws of Massachusetts, further state under the penalties of perjury that the agreement of ~~XXXXX~~ merger has been duly executed on behalf of such corporation and duly approved in the manner required by General Laws, Chapter 156B, Section 78.

James R. Sadowski, "President / ~~XXXXX~~

John T. Romain, ~~XXXXX~~ / Assistant Clerk

FOR CORPORATIONS ORGANIZED IN A STATE OTHER THAN MASSACHUSETTS

The undersigned, + President and ++ Assistant Secretary of Chart Inc., a corporation organized under the laws of Delaware, further state under the penalties of perjury that the agreement of ~~XXXXX~~ merger has been duly adopted by such corporation in the manner required by the laws of Delaware.

*Delete the inapplicable words.

†Specify the officer having powers and duties corresponding to those of the president or vice president of a Massachusetts corporation organized under General Laws, Chapter 156B.

James R. Sadowski, President

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF *CONSOLIDATION / *MERGER
(General Laws, Chapter 156B, Section 79)

I hereby approve the within Articles of *Consolidation / *Merger and,
the filing fee in the amount of \$ _____, having been paid,
said articles are deemed to have been filed with me this _____
day of _____, 19 _____.

Effective date _____

WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth

TO BE FILLED IN BY CORPORATION
Photocopy of document to be sent to:

CT Corporation
101 Federal St.
Boston, MA 02110

Telephone: _____

FORM PTO-1594

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office
22459/04555RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

FEB 26 2003

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies):</p> <p>Process Systems International, Inc.</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State (Massachusetts) <input type="checkbox"/> Other _____</p> <p>Additional names of conveying party(ies) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p> <p>3. Nature of Conveyance</p> <p><input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: <u>April 3, 2000</u></p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <u>Chart Inc.</u></p> <p>Internal Address:</p> <p>Street Address: <u>5885 Landerbrook Drive, Suite 150</u> City <u>Cleveland</u> State <u>Ohio</u> Zip <u>44124</u></p> <p><input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input checked="" type="checkbox"/> Corporation-State (<u>Delaware</u>) <input type="checkbox"/> Other _____</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> yes <input checked="" type="checkbox"/> No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p>
<p>4. Application number(s) or patent number(s):</p> <p>A. Trademark Application No(s). None.</p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>B. Trademark Registration No(s). 1,680,064</p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>James A. Balazs Cafee, Halter & Griswold LLP 800 Superior Avenue, Suite 1400 Cleveland, Ohio 44114-2688</p> <p>CERTIFICATE OF MAILING Date: <u>Feb. 24, 2003</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Assistant Commissioner for Trademarks, Box Assignments, 2900 Crystal Drive, Arlington, VA 22202-3513</p> <p><u>James A. Balazs</u> Signature</p>	<p>6. Total number of applications and registrations involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41): <u>\$ 40.00</u></p> <p><input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account <input type="checkbox"/> Total Fee Due <input checked="" type="checkbox"/> Any deficiencies</p> <p>8. Deposit account number: <u>03-0172</u> (Attach duplicate copy of this page if paying by deposit account)</p>
<p>DO NOT USE THIS SPACE</p>	
<p>9. Statement and signature</p> <p>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</p> <p><u>James A. Balazs</u> <u>James A. Balazs</u> <u>2/24/03</u> Name of Person Signing Signature Date</p> <p>Total number of pages comprising transmittal:</p>	

{JF2083.DOC;2}

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARK	:	CVI and Design
REGISTRANT	:	Chart, Inc.
REG. NO.	:	740,009
REGISTERED	:	October 30, 1962
CLASS NO.	:	11

Honorable Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513
Attention: Patricia A. Everett
Post Registration Division

RESPONSE TO REFUSAL TO SECTION 8 AFFIDAVIT AND SECTION 9 RENEWAL

Dear Ma'am:

Registrant of record, Chart, Inc., hereby responds to the Action of February 20, 2003 refusing entry of the filed Section 8 Affidavit of Use and Section 9 Renewal Application on the basis that the chain of title for the mark is incomplete. More specifically, the post-registration examiner states that there is no record on file to show ownership of the registration being transferred from CVI Incorporated, to Barnebey-Cheyney Company, thus clouding title. As set forth below, to the best of registrant knowledge, there was no assignment from CVI Incorporated to Barnebey-Cheyney Company, and even if such an assignment was made, it is inconsequential as the current chain of title is complete to CVI, Incorporated.

As is shown in the enclosed database printout from the Saegis trademark search service, the current registration was registered in the name of Cryovac, Inc. On January 3, 1967, Cryovac, Inc. changed its name to CVI Corporation. This is indicated as Step (1) on the enclosed printout. CVI Corporation assigned its rights in this registration to CVI Incorporated—as indicated in Step (2) on the enclosed printout. The remainder of the assignment history from CVI Incorporated to Chart, Inc. apparently is not in dispute.

This leaves one with the assignment from Barnebey-Cheyney Company to CVI Incorporated, as indicated by the (*) on the attached database printout. While it is unclear where Barnebey-Cheyney obtained its rights to the current registration, such issue is inconsequential. There is a clear chain of title from Cryovac, Inc. to CVI Corporation to CVI Incorporated, without taking the apparently rogue assignment into account. The Registrant would also note that the assignment from Barnebey-Cheyney was recorded after the assignment from CVI Corporation to CVI Incorporated. The Registrant would also note that the last time this registration was renewed, it was renewed to CVI Incorporated.

In conclusion it is believed that a complete chain of title currently exists for this registration. The assignment from Barnebey-Cheyney in no way breaks such chain. As such, the examining attorney should allow the Section 8 and 9 documents, as filed.

If the named examiners or others at the Post-Registration division wish to discuss this matter in further detail, particularly the chain of title for this registration, they are invited to contact the undersigned at their earliest opportunity.

It is not believed that any additional fees are due at this time however any fees should be debited and any overpayments should be credited to Deposit Account Number 18-2284

Respectfully submitted,



Thomas W. Ryan
Attorney for Registrant

Piper Rudnick
P.O. Box 64807
Chicago, Illinois 60664-0807
(312) 368-4000

Dated: April 17, 2003



TRADEMARKSCAN®--U.S. Federal

Serial Number: 72131351

Registration Number: 0740009

Status: RENEWED

USPTO Status:

USPTO Status Date: January 11, 1983

Filed: November 6, 1961

Published: August 14, 1962

Registered: October 30, 1962

Goods/Services: CRYOGENIC PUMPING SYSTEMS, CRYOGENIC PROCESSING EQUIPMENT, AND RELATED COMPONENTS SUCH AS CRYOGENIC FLUID HANDLING ACCESSORIES AND PANELS

International Class(es)

11 (Environmental Control Apparatus)

U.S. Class: 31

First Used: June 1961

In Commerce: June 1961

Owner: CRYOVAC, INC., D.B.A. CRYOVAC INCORPORATED, COLUMBUS, OHIO

Renewal Information

CVI INC., COLUMBUS, OHIO

October 30, 1982

Assignment Information

Assignee:

CVI CORPORATION

Assignor:

CRYOVAC, INC.

Correspondent:

SEIDEL AND GONAD

LAND TITLE BLDG.

LAND TITLE BLDG.

PHILADELPHIA, PA 19110

Brief: CHANGE OF NAME EFFECTIVE JAN. 03, 1967

Signed: January 16, 1967

Recorded: February 16, 1967

Reel/Frame: 0147/0410

Assignee:

CVI INCORPORATED

4200 LYMAN COURT

HILLIARD, OHIO 43206

Assignor:

CVI CORPORATION

OHIO CORPORATION

P.O. BOX 2138

COLUMBUS, OHIO 43216

Handwritten annotations: A large right-facing bracket groups the two assignment entries. To the right of the bracket, the number 1 is circled next to the first entry, and the number 2 is circled next to the second entry.

Correspondent:

SEIDEL, GONDA, ET AL.
SUITE 600

THREE PENN CENTER PLAZA
PHILADELPHIA, PA 19102

Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL

Recorded: June 15, 1981

Acknowledged: April 28, 1981

Reel/Frame: 0393/0629

]

(2)
cont.

Assignee:

CVI INCORPORATED
OHIO CORPORATION
4200 LYMAN COURT
HILLIARD, OHIO 43206

Assignor:

BARNEBEY-CHEYNEY COMPANY
OHIO CORPORATION
835 N. CASSADY AVE.
COLUMBUS, OHIO 43216

Correspondent:

SEIDEL, GONDA, GOLDHAMMER ET AL.
STE. 600

THREE PENN CENTER PLAZA
PHILADELPHIA, PA 19102

Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL

Recorded: June 25, 1981

Acknowledged: April 28, 1981

Reel/Frame: 0393/0664

]

(*)

Assignee:

CVI INCORPORATED
OHIO CORPORATION
4200 LYMAN COURTHILLIARD, OH 43026

Assignor:

PROCESS SYSTEMS INTERNATIONAL, INC.
MASSACHUSETTS CORPORATION

Correspondent:

VORYS, SATER, SEYMOUR & PEASE
DOUGLAS R. BUSH

1828 L STREET, N.W., STE. 1111
WASHINGTON, D.C. 20036-5104

Brief: SECURITY INTEREST

Signed: October 31, 1994

Recorded: October 31, 1994

Reel/Frame: 1243/0048

Assignee:

PROCESS SYSTEMS INTL. INC.
MASSACHUSETTS CORPORATION
WESTBOROUGH, MA

Assignor:

CVI INCORPORATED
OHIO CORPORATION

Correspondent:

SCOTT D. BALDERSTON
1828 L STREET
SUITE 1111

WASHINGTON, D.C. 20036

Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL

Signed: October 31, 1994

Recorded: December 2, 1994
Reel/Frame: 1254/0364

Assignee:

NATIONAL CITY BANK
METROOHIO DIVISION L.C. 2104P. O. BOX 5756 1900 EAST 9TH ST. CLEVELAND, OH 44101-0756

Assignee:

NBD BANK, N.A.
611 WOODWARD AVENUE DETROIT, MI 48226

Assignor:

PROCESS SYSTEMS INTERNATIONAL
MASSACHUSETTS CORPORATION

Correspondent:

RENNER, OTTO, BOISSELLE & SKLAR
WARREN A. SKLAR
1621 EUCLID AVENUE
19TH FLOOR

Brief: COLLATERAL ASSIGNMENT OF AND GRANT OF SECURITY INTEREST IN TRADEMARKS
Signed: December 2, 1994

Recorded: December 12, 1994

Reel/Frame: 1266/0104

Assignee:

NATIONAL CITY BANK
METRO/OHIO DIVISION, LOC. 2104 P.O. BOX 5756 1900 E. 9TH ST.
CLEVELAND, OHIO 44101-075

Assignee:

NBD BANK, N.A.
611 WOODWARD AVENUE
DETROIT, MICHIGAN 48226

Assignor:

PROCESS SYSTEMS INTERNATIONAL

Correspondent:

LUCILE G. WEINGARTNER
LAW DEPARTMENT, LOC 2174
NATIONAL CITY BANK
P.O. BOX 5756

Brief: TERMINATION OF ASSIGNMENT AND SECURITY INTEREST RECORDED AT REEL/FRAME 1266/0104
Signed: December 2, 1994

Recorded: November 22, 1996

Reel/Frame: 1538/0177

Assignee:

JPMORGAN CHASE BANK (FORMERLY KNOWN AS THE CHASE BANK)
450 WEST 33RD STREET
NEW YORK, NEW YORK 10001

Assignor:

CHART INDUSTRIES, INC.
DELAWARE CORPORATION

Correspondent:

MILBANK, TWEED, HADLEY & MCCLOY LLP
CHRISTOPHER E. CHALSEN ESQ
1 CHASE MANHATTAN PLAZA
NEW YORK, NEW YORK 10005-1413

Brief: SECURITY INTEREST

Signed: April 12, 1999

Recorded: February 20, 2002

Reel/Frame: 2451/0520

Design Codes:

260110 UNALTERED CIRCLES

260137 CIRCLES THAT ARE COMPLETELY OR PARTIALLY SHADED
260154 CIRCLES INSIDE OR CIRCLES
260131 CIRCLES CONTAINING ONLY LETTERS OR NUMERALS (INCLUDING PUNCTUATION)



Copyright 2003 Thomson & Thomson
Viewed: Thu Apr 17 2003, 16:09 GMT

Print Page



CALFEE, HALTER & GRISWOLD LLP

ATTORNEYS AT LAW
Cleveland

Direct Dial No. 216/622-8636
email:jrich@calfee.com

November 4, 2002

Box POST REG FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: Trademark Registration
For: Chart, Inc.
Mark: CVI & Design
Registration No.: 740,009
Atty Ref. No.: 22459/04295

CERTIFICATE OF MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope to the Assistant Commissioner For Trademarks, 2900 Crystal Drive, Arlington, VA 22022-3513 this 4th day of November, 2002.

Signed: Spencer Ford

Dear Sir:

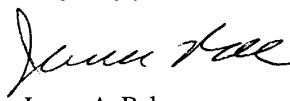
Enclosed please find the following:

- 1) A Combined Declaration of Use in Commerce Under Section 8 & Application for Renewal of Registration Under Section 9 (2 pgs);
- 2) A specimen showing use of the mark;
- 3) A check in the amount of \$500.00; and
- 4) A return-receipt postcard.

It is our understanding that no additional fees are required for this filing. However, if our understanding is incorrect, please charge such additional fees to our Deposit Account No. 03-0172. A duplicate of this letter is enclosed for accounting purposes.

We look forward to being advised of the filing particulars in due course.

Very truly yours,


James A. Balazs

JAB/jef
Enclosures

5

JB



CALFEE, HALTER & GRISWOLD LLP

ATTORNEYS AT LAW
Cleveland

Direct Dial No. 216/622-8636
email:jrich@calfee.com

November 4, 2002

Box POST REG FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

CERTIFICATE OF MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope to the Assistant Commissioner For Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 this 4th day of November, 2002.

Re: Trademark Registration
For: Chart, Inc.
Mark: CVI & Design
Registration No.: 740,009
Atty Ref. No.: 22459/04295

Signed: Spencer Ford

Dear Sir:

Enclosed please find the following:

- 1) A Combined Declaration of Use in Commerce Under Section 8 & Application for Renewal of Registration Under Section 9 (2 pgs);
- 2) A specimen showing use of the mark;
- 3) A check in the amount of \$500.00; and
- 4) A return-receipt postcard.

It is our understanding that no additional fees are required for this filing. However, if our understanding is incorrect, please charge such additional fees to our Deposit Account No. 03-0172. A duplicate of this letter is enclosed for accounting purposes.

We look forward to being advised of the filing particulars in due course.

Very truly yours,

James A. Balazs

JAB/jef
Enclosures

1400 McDonald Investment Center 800 Superior Avenue Cleveland, Ohio 44114-2688 216/622-8200 Fax 216/241-0816

1650 Fifth Third Center 21 East State Street Columbus, Ohio 43215-4243 614/621-1500 Fax 614/621-0010

www.calfee.com

{JF2442.DOC;1}

<p align="center">CERTIFICATE OF MAILING</p> <p>I hereby certify that this paper or fee is being deposited on <u>November 4</u>, 2002 with the United States Postal Service with sufficient postage as first class mail in an envelope addressed the Assistant Commissioner of Trademarks, BOX POST REG FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.</p> <p>Typed or printed name of person signing this certificate:</p> <p><u>Joyce FORD</u></p> <p><u>Joyce Ford</u> (Signature)</p>
--

TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant	:	Chart Inc.
Mark	:	CVI & Design
Registration No.	:	740,009
Registration Date	:	October 30, 1962
International Class	:	011
Attorney Docket	:	22459/04295

Assistant Commissioner for Trademarks
BOX POST REG FEE
2900 Crystal Drive
Arlington, VA 22202-3513

**COMBINED DECLARATION OF USE IN COMMERCE UNDER SECTION 8 &
APPLICATION FOR RENEWAL OF REGISTRATION UNDER SECTION 9**

Chart Inc., a Delaware corporation, having a place of business at 5885 Landerbrook Drive, Suite 205, Cleveland, Ohio 44124, hereby requests that Registration No. 740,009 be renewed in accordance with the provisions of Section 9 of the Act of July 5, 1946 (as amended).

The above-identified mark is still in use by Chart Inc., in interstate commerce in connection with all the goods identified in the Certificate of Registration for this mark, namely the following goods in International Class 011:

Cryogenic pumping systems, cryogenic processing equipment, and related components
such as cryogenic fluid handling accessories and panels.

11/18/2002 KGIBBONS 00000255 740009

01 FC:6205	100.00 OP
02 FC:6201	400.00 OP

Renewal Applicant obtained the mark by assignment recorded on December 2, 1994 at Reel/Frame 1254/0364 and merger on March 30, 2000; request to record merger filed concurrently with this renewal application.

A specimen for each class showing the mark as currently used by Renewal Applicant is enclosed herewith.

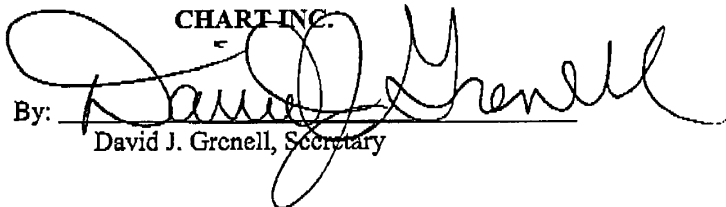
The undersigned hereby appoints Jeanne E. Longmuir and James Balazs all members of the Bar of the State of Ohio, all attorneys with Calfee, Halter & Griswold LLP, with the full power of substitution, association and revocation, to prosecute this combined declaration of use and renewal application, to transact all business in the United States Patent and Trademark Office and in the courts, to receive the Certificate of Renewal and to receive all other correspondence in connection with this registration.

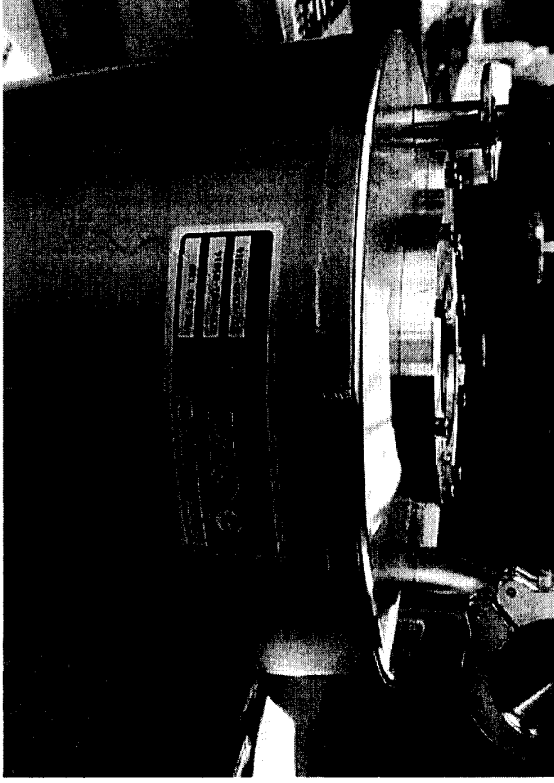
Renewal Applicant requests that correspondence in connection with this application be directed to:

James A. Balazs, Esq.
CALFEE, HALTER & GRISWOLD LLP
1400 McDonald Investment Center
800 Superior Avenue
Cleveland, Ohio 44114-2688
(216) 622-8200.

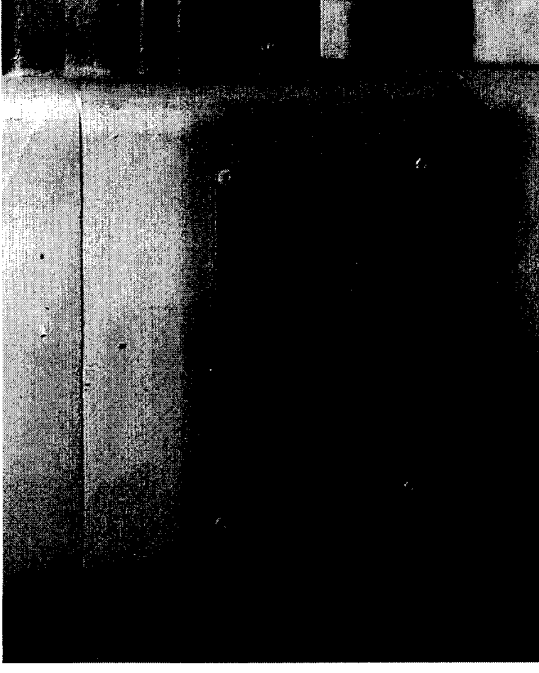
I, David J. Grenell, declare that I am Secretary of Registrant, Chart Inc., and that I am properly authorized to execute this document on behalf of Registrant; that said corporation is the owner of the above-identified registration issued October 30, 1962; that said registration is now in force; that the mark shown therein continues to be in use in interstate commerce on or in connection with all of the goods identified in the Certificate of Registration; that all statements made herein of my own knowledge are true and all statements made herein on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements and the like may jeopardize the validity of this declaration and application and any renewed registration resulting therefrom.

Date: 10/31/02

CHART INC.
By: 
David J. Grenell, Secretary



Cryopump Assembly



High Pressure Pump



Nameplate

United States Patent Office

740,009
Registered Oct. 30, 1962

PRINCIPAL REGISTER Trademark

Ser. No. 131,351, filed Nov. 6, 1961



Cryovac, Inc. (Ohio corporation), doing business as
Cryovac Incorporated
930 Kinnear Road
Columbus 12, Ohio

For: CRYOGENIC PUMPING SYSTEMS, CRYO-
GENIC PROCESSING EQUIPMENT, AND RE-
LATED COMPONENTS SUCH AS CRYOGENIC
FLUID HANDLING ACCESSORIES AND PANELS,
in CLASS 31.

First use June 1961; in commerce June 1961.

United States Patent Office

740,009
Registered Oct. 30, 1962

PRINCIPAL REGISTER Trademark

Ser. No. 131,351, filed Nov. 6, 1961



Cryovac, Inc. (Ohio corporation), doing business as
Cryovac Incorporated
930 Kinnear Road
Columbus 12, Ohio

For: CRYOGENIC PUMPING SYSTEMS, CRYO-
GENIC PROCESSING EQUIPMENT, AND RE-
LATED COMPONENTS SUCH AS CRYOGENIC
FLUID HANDLING ACCESSORIES AND PANELS,
in CLASS 31.

First use June 1961; in commerce June 1961.